PB-227 158

THE FIRST TWO YEARS - A REVIEW OF EPA'S ENFORCEMENT PROGRAM

ENVIRONMENTAL PROTECTION AGENCY

FEBRUARY 1973

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PB 227 158

Environmental Protection Agency
Library Systems Branch, Room 2903
401 M Street, S.W.
Washington, D.C. 20460

THE FIRST TWO YEARS

A Review of EPA's Enforcement Program

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Springfield VA 22151

February 1973

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INTRODUCTION

This is a report on the enforcement program conducted by the United States Environmental Protection Agency from its formation on December 2, 1970, through December 31, 1972. During this period the activities of the Federal Government in direct enforcement of environmental regulations have increased enormously. It has been a time of rapid change, significant accomplishment and endless challenge.

When the Environmental Protection Agency was established, a strong policy directive from the President and from EPA Administrator William Ruckelshaus was to strengthen enforcement. The need for a new tough enforcement policy was clear. In case after case, from one end of the country to the other, environmental regulations were not being met. Deadlines for completion of abatement programs were perceived as only targets, and "slippage" was commonplace. Few sanctions existed, or were applied, to deter the foot-dragger.

The programs transferred into EPA under Reorganization Plan No. 3 of 1970 had placed only slight emphasis on enforcement. Their focus had been chiefly on research and demonstration projects, field investigations and other studies, approval of state standards, state program grants, technical assistance, grants for construction of municipal waste treatment facilities, and the pesticides registration program. The principal involvement with enforcement had been the conduct of public-hearing-type enforcement conferences focusing attention on a large number of major water pollution problems and a lesser number of air pollution problems. On only the rarest occasions did the Federal environmental agencies ever resort to court action to compel compliance with pollution control requirements. Enforcement was regarded as the responsibility of state and local governments.

The policy of EPA has been to reverse the traditional orientation of its predecessor agencies and to engage, directly and forcefully, in a full range of enforcement actions. The vast majority of EPA enforcement activities to date have dealt with problems of water pollution. The development of regulatory programs concerning water pollution has been considerably advanced historically over comparable programs concerning air pollution, thereby providing innumerably more cases where legal and technical factors warrant enforcement action. In addition, the Refuse Act of 1899 has greatly facilitated litigation to abate water pollution. As implementation of the Clean Air Act of 1970 has proceeded, however, EPA has brought a small number of highly important enforcement cases under that Act. During the past year, EPA has also markedly accelerated the tempo of enforcement of the Federal pesticides laws. The radiation and solid waste programs of the Agency have not included enforcement activities.

General Policy

Within the first few weeks after EPA was formed, we adopted a phrase which has been used again and again to describe the objective of the EPA enforcement policy. It is "Fair But Firm". Our program has placed emphasis on thorough preparation and consideration of all facts pertinent to a case, including mitigating circumstances and evidence of good faith, combined with an unflinching readiness to take whatever enforcement action might be required to deter recalcitrance or foot-dragging and to compel needed abatement efforts.

In our efforts to obtain commitments from polluters to undertake abatement programs, it is EPA policy to seek voluntary compliance before resorting to formal enforcement proceedings. To assure adherence to this policy, we early established an internal procedural requirement that the responsible EPA officials meet with representatives of the discharger before initiating any proceeding. As the aggressiveness of our enforcement program has become widely recognized, these informal conferences to obtain voluntary compliance have been increasingly productive.

A dominant aspect of the new enforcement program has been its concentration on individual cases of environmental abuse, coupled with a full readiness to take these cases to court. The Agency has continued the practice of conducting water pollution enforcement conferences in which the pollution problems of a large area are exposed to full public scrutiny and recommendations adopted by a Federal-State hearing panel. Because of the cumbersome statutory procedures for enforcement of such recommendations, however, the focus of EPA efforts has shifted to zeroing in on individual dischargers and establishing direct confrontation, either through a 180-day notice administrative proceeding or by court action. The Refuse Act has provided jurisdiction for immediate court action against industrial dischargers, and EPA has freely utilized that jurisdiction rather than the restrictive procedures of the Federal Water Pollution Control Act.

The vast majority of EPA efforts (though not the majority of cases by number) have been directed against major sources of pollution, typically involving large national corporations or big cities. For example, one out of every three civil injunctive actions initiated by EPA under the Refuse Act involved plants owned by companies ranked among the "500 Largest Corporations in the United States", as identified in the May 1972 issue of FORTUNE Magazine. During the summer of 1971, a group of roughly 2700 "major dischargers" were identified for priority efforts. These individually targeted enforcement actions have given punch to the entire framework of environmental regulations and have driven across the message that deadlines for completion of abatement facilities must be accorded the respect of law.

Regionalization

During its first two years, EPA has integrated the various program units received through the Reorganization and has carried out a far-reaching regionalization of personnel and responsibility. In enforcement, this has required the creation of a fully self-sufficient enforcement capability in each of the ten Regional organizations. To fill the expanded EPA enforcement role, the Agency has hired and trained large numbers of legal and technical staff, developing nearly from scratch the techniques of preparing cases for litigation.

The total EPA enforcement program (including the water pollution permit program) has a current staff of nearly 1500 persons. This is roughly five times the level of staff for enforcement when EPA began operations. The annual enforcement budget is in the range of $35 million. The overwhelming majority of staff are in the field, chiefly in the Regional Enforcement Divisions (which handle legal and technical case preparation, negotiations and public hearings) and in the Regional Surveillance and Analysis Divisions (which provide essential services, including source investigations, sample collection and laboratory analysis).

In the early days of EPA, all important decisions on enforcement cases or strategy were made by a small headquarters staff in Washington. Over time, the bulk of this responsibility has been delegated out to the Regional Administrators and their Enforcement Division Directors. To facilitate this delegation, standard policy guidelines and procedures have been established for handling enforcement actions. This transfer has cut down the flow of paper work and placed operating control of cases in Regional officers who, being closer to the facts, can respond to them with greater sensitivity and speed. The Agency's expanded enforcement program has now given those officers in every Region a backlog of experience on which to rely in carrying out their enlarged responsibilities.

Relationships with States, U. S. Attorneys and Citizens

A highly sensitive facet of the enforcement program has been maintenance of cooperative relationships with officials of state pollution control agencies. Because enforcement had been widely regarded as a State responsibility, the appearance of EPA on the firing line of direct contact with polluters has caused some confusion and occasional friction. Procedures of consultation on all cases have been established to meet the obvious need for close coordination. The Agency's approach has been that states should perform the majority of pollution control enforcement work but that direct Federal action in selected cases is vital. The Federal presence can productively supplement State efforts when the manpower of State agencies is stretched thin. It can also strengthen the effectiveness of State controls by visibly assuring that a uniform stringency of enforcement will be maintained from State to State.

Another critical set of relationships has developed between the EPA enforcement personnel and the Department of Justice, including local U. S. Attorneys. In all court actions, EPA is formally represented by Justice or a U. S. Attorney. During these two years, enormous headway has been achieved in familiarizing these attorneys with the EPA programs and in educating EPA staff in the details of preparation for trial.

In a great many instances, both EPA and the U. S. Attorneys have received important data and other assistance from private citizens. Citizen activity in enforcement cases is expected to grow as a result of the citizen suit provisions of the new air and water pollution Federal laws.

Perspective on Enforcement as a Tool

A review of EPA's enforcement activities reveals both the strengths and the limitations of formal enforcement proceedings, particularly litigation, as a tool for achievement of pollution control. It seems apparent that the careful but determined aggressiveness of EPA's enforcement program has been a major contributor to the heightened intensity of the current national pollution control effort. Where schedules of compliance have been established, tough enforcement is indispensable to deter avoidable slippage. The same is true where careful operation and maintenance of abatement facilities are required to meet established standards of performance. It should be recognized, however, that the effectiveness of enforcement in such cases depends heavily on the prior existence of clearly defined obligations of abatement. When, as so often has been true in EPA's cases, only vague or inadequate abatement requirements have been previously established, the job of individual case enforcement is made immeasurably more difficult.

The establishment of requirements for pollution control and the policing to assure that those requirements are lived up to are two fundamentally quite different functions. Individual case litigation is a cumbersome process to use for setting the basic requirements in any large number of cases. The technical complexities affecting establishment of a stringent but feasible abatement program for a major industrial plant are enormous. Presentation of evidence on these issues to a judge in litigation entails long delays and voraciously consumes manpower. Moreover, individual litigation can provide little assurance of fulfilling the basic rule of fairness that comparable requirements are being imposed on comparable dischargers. Nor can individual litigation assure that the sum of abatement requirements in a given area will achieve a designed overall reduction in the air or water pollution of that area.

In a number of landmark cases, court actions for civil injunctive relief have achieved major breakthroughs in requiring adoption of stringent abatement programs. Court actions have also achieved noteworthy success in several instances where special environmental values or other unusual factors have been involved. Reliance on litigation for these special purposes will doubtless continue in the future. From the simple arithmetic of caseloads and manhours, however, it is perfectly clear that on a nationwide basis other systems allowing greater use of administrative technical judgment must be utilized as the primary means to establish specific abatement requirements for the great majority of polluters. The chief role of enforcement must be to compel compliance with those requirements rather than to establish them.

Evolution of the Enforcement Program

The enforcement program of EPA during the past two years has been in a fluid and active state of evolution. Recent legislative developments make it clear that in the near future further evolution will occur.

The Federal Water Pollution Control Act Amendments of 1972 enacted on October 18 have transformed the basis for enforcement activities concerning water pollution. The new law has eliminated the traditional enforcement conference and has replaced the 180-day notice with a streamlined 30-day notice mechanism. The new law has also abolished the Refuse Act as an independent basis for bringing court action against industries. The 1972 Act establishes a new national permit program under which every discharger must obtain a permit setting forth in specific effluent limitations the abatement requirements applicable to it. Except for spills and a few other limited situations, the law forbids initiation of new enforcement cases between now and December 31, 1974, against any discharger until its application for a permit has been acted on.

The enforcement program in water pollution will therefore be substantially curtailed for the immediate future. Virtually the full efforts of the water enforcement staff will be channeled into the permit program until sufficient permits have been issued to provide a basis for renewed enforcement activities. Although this change will temporarily suspend the pressure for effective control which springs from the threat of enforcement action, the new permit program will provide a complete and systematic review of existing abatement requirements for all dischargers and will permit on an efficient basis a precise definition of their obligations. This is badly needed.

With respect to air pollution, the big new law came two years earlier, the Clean Air Act of 1970, enacted on December 31 of that year. That law launched a comprehensive program to establish abatement requirements for sources of air pollution across the country. Implementation plans to achieve national ambient air quality standards went into effect in most cases in May or July of 1972, and the details of compliance schedules should be finalized on or about February 15, 1973. A separate program for abatement applies to mobile sources. The complex and innumerable requirements imposed under the Clean Air Act will present a colossal challenge to the enforcement programs of EPA and the State agencies. Several important actions have already been initated and many more are in prospect.

A new law covering the Federal pesticides programs was also enacted at the end of the last session of Congress on October 21, 1972. The law makes many major changes in the overall program, including important new enforcement provisions such as increased penalties and stop sale authority. Our program in that area should, therefore, continue to improve in much the same accelerating manner as before the new legislation. Important new legislation for EPA was also enacted last session concerning ocean dumping and noise pollution. Both of these programs are in their preliminary stages, however, and significant enforcement activity is not expected in the immediate future.

Conclusion

The charts and tables which accompany this report reflect the intensity of EPA's enforcement efforts during its first two years. The large numbers of cases listed require a cautionary note of explanation. It is essential to emphasize that these listings by no means represent a compilation of successful results. In some cases, the impact of EPA action has indeed caused new or accelerated pollution control efforts to be undertaken. In others, EPA efforts have fallen through without effect, and in a number of cases referrals to the Department of Justice have been properly rejected for inadequate supporting evidence or other reasons. A great many of the actions are still pending and their ultimate resolution remains uncertain. Where success has been achieved, the results have often been at least partly due to State, local, or private actions, and in all court proceedings a substantial share of credit for any success belongs to the Department of Justice and the U. S. Attorneys. Thus, the total listings comprise a wide assortment of cases and real success can be safely presumed in only some indeterminant fraction of the total.

Taken all in all, however, this report does clearly reflect the new thrust and accelerated tempo of Federal environmental enforcement efforts since the formation of EPA. This prodigious enforcement activity has expressed with unmistakable clarity and force the new national commitment to effective pollution control. It has spoken to all who might be recalcitrant or sluggish in meeting their environmental obligations, that whenever the facts so indicate the Environmental Protection Agency stands ready and able to prosecute those who pollute.

John R. Quarles, Jr.
February 1973

SALIENT ENFORCEMENT STATISTICS

Precise measurement of the results of an enforcement program is virtually impossible. A few statistics can only suggest the extent of its impact. Further insight may also be obtained by examining results in significant individual cases.

The growth in enforcement proceedings initiated is shown in the tables at the end of this chapter. These show during the first two-year period:

a. in Water Pollution
   - 106 civil actions referred to Justice under the Refuse Act
   - 169 criminal actions referred to Justice under the Refuse Act
   - 96 additional cases referred to Justice under the Refuse Act for failure to apply for a permit
   - 143 water quality standards violation notices (180-day notices)
   - 8 new enforcement conferences

b. in Pesticides
   - 148 criminal actions referred to Justice

Thus far, fines were collected in 107 of the water cases. The total amount of these fines was $214,085, of which $28,500 was suspended in 10 cases; another $10,000 fine levied in a single case (the PICCO case) was appealed and is currently under Supreme Court review. As many fines were based on multiple counts of a particular offense, it is not possible to compute a meaningful "average fine;" it is worth noting, however, that the maximum fine under the Refuse Act could not exceed $2,500 for any single offense.

Fines have been collected in 30 of the pesticide cases, for a total amount of $54,550; in seven of these cases, fines totaling $20,700 were suspended. Under the Clean Air Act, a fine of $10,000 was imposed on the Ford Motor Company as a consent decree was entered enjoining it from introducing vehicles into commerce without EPA certification.

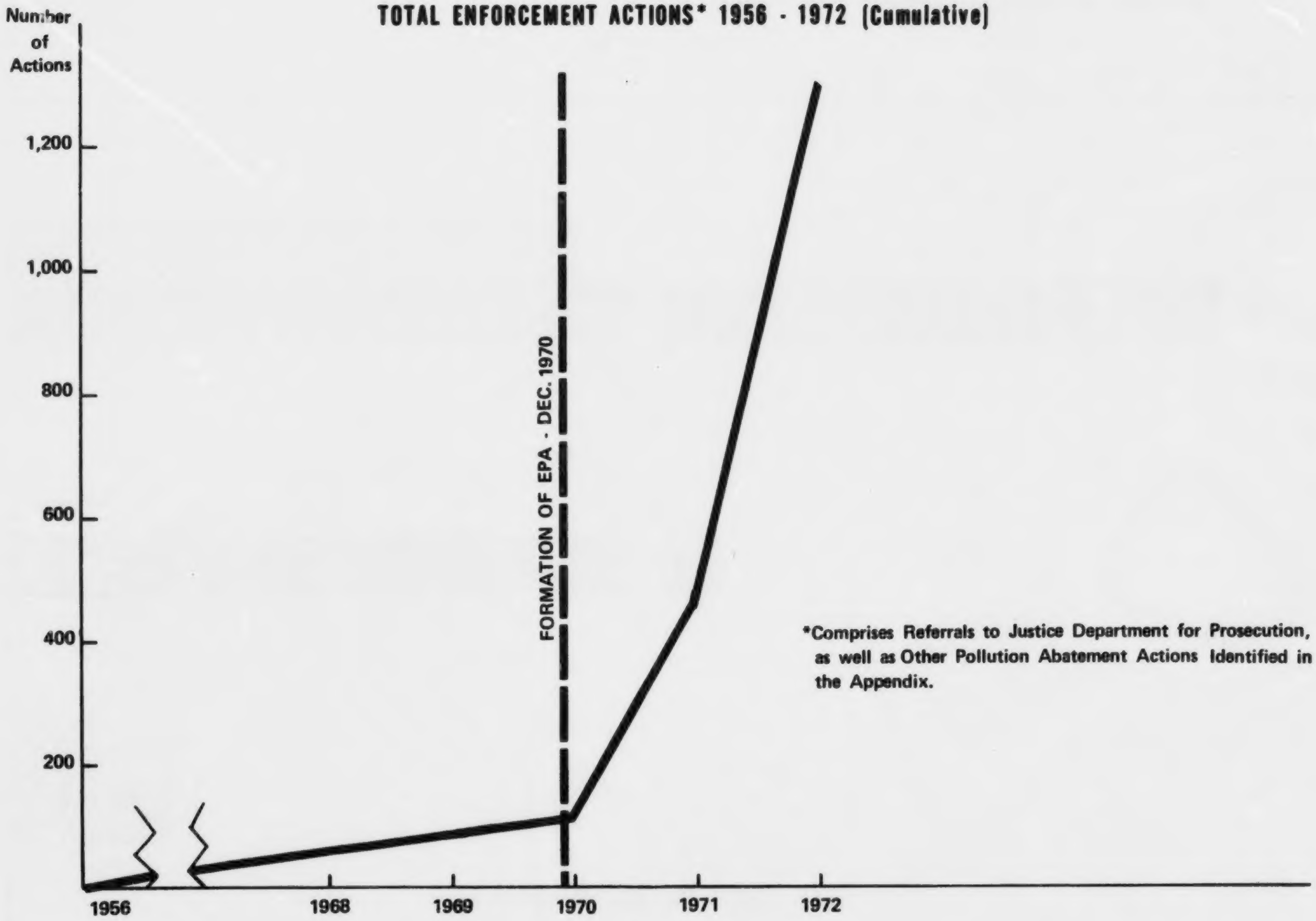
Important accomplishments in individual enforcement actions include:

- Florida Power and Light Company, Turkey Point, Florida, has undertaken a $35 million construction of cooling ponds to cut thermal discharges into Biscayne Bay (consent decree).
- ITT-Rayonier, Port Angeles, Washington, has begun a $20 million abatement program to treat sulfite pulp mill wastes (consent decree).
- Armco Steel, Houston, Texas, has completely eliminated all discharges from its coke plant and blast furnace into Houston Ship Channel, thereby halting the discharge of large quantities of cyanides, phenols and ammonia (consent decree).
- United States Steel, Fairfield, Alabama, is committed to an abatement program which will reduce discharges of cyanides 93%, ammonia 92%, phenols 99.5%, and BOD_5 84% (consent decree).
- DuPont, East Chicago, Indiana, is committed to an extensive, 2-phase abatement program (consent decree).
- City of Atlanta adopted a rate increase to provide the necessary local funds to proceed with a $64 million municipal waste treatment program, following 180-day notice.
- City of Detroit undertook an extensive construction program approved by State of Michigan and EPA, following 180-day notice.
- City of Cleveland and suburbs entered into regional management system under order of the County court and adopted comprehensive abatement program, following 180-day notice.
- Ford Motor Co. paid $10,000 fine and agreed to EPA interpretation of statute in first suit to enforce a Clean Air Act prohibition against interstate shipment of uncertified cars.
- 23 industries in Birmingham, Alabama, were ordered to curtail operations in the first court suit to enforce emergency provisions of the Clean Air Act.

Details on these and many other individual enforcement actions taken by EPA are discussed in detail in the sections on Water Enforcement Review, Air Enforcement Review and Pesticides Enforcement Review.

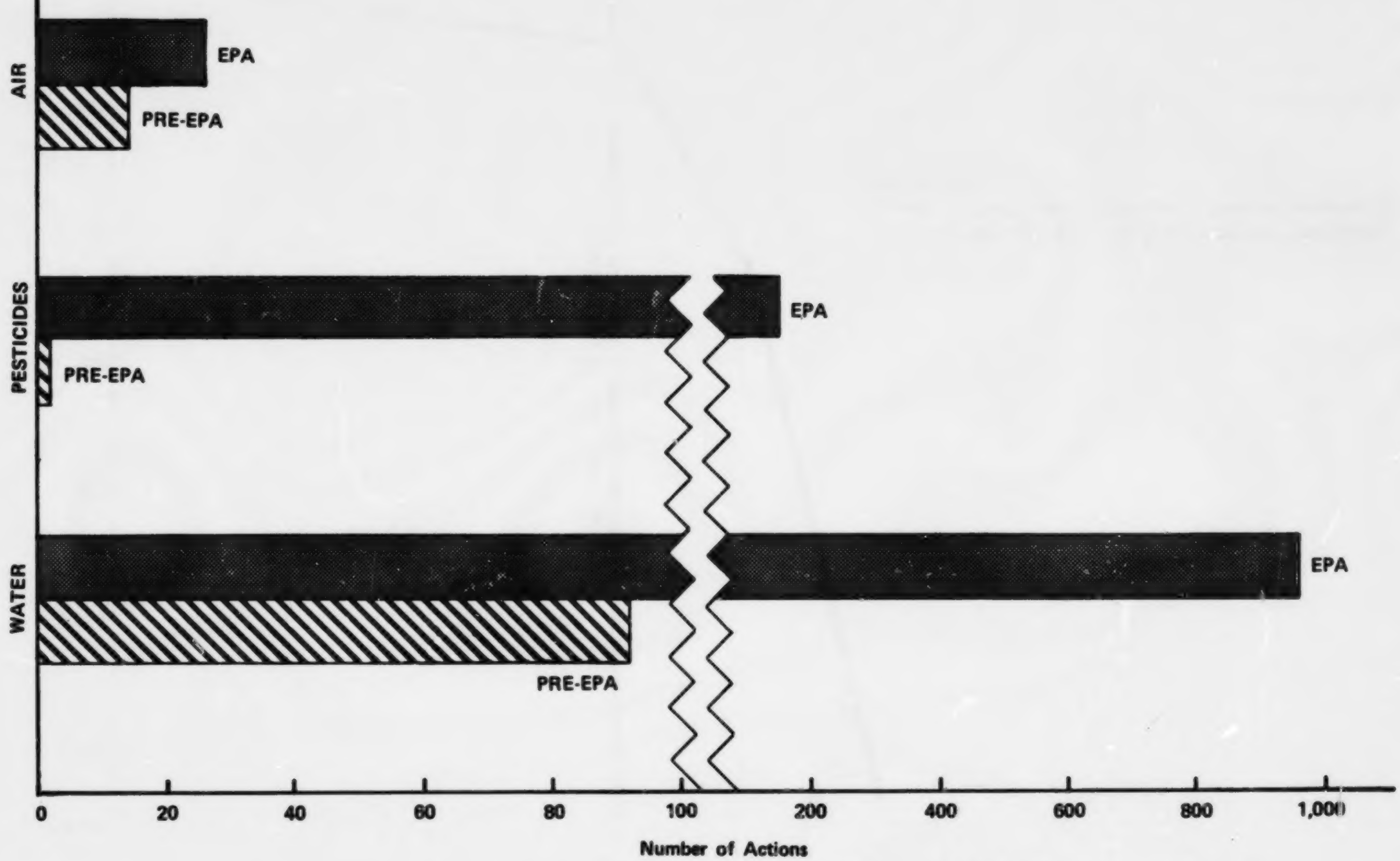
In addition to these documented direct results of the EPA enforcement program, our reputation for aggressive enforcement has probably influenced the development of acceleration of air and water pollution abatement programs.

TOTAL ENFORCEMENT ACTIONS* 1956 - 1972 (Cumulative)



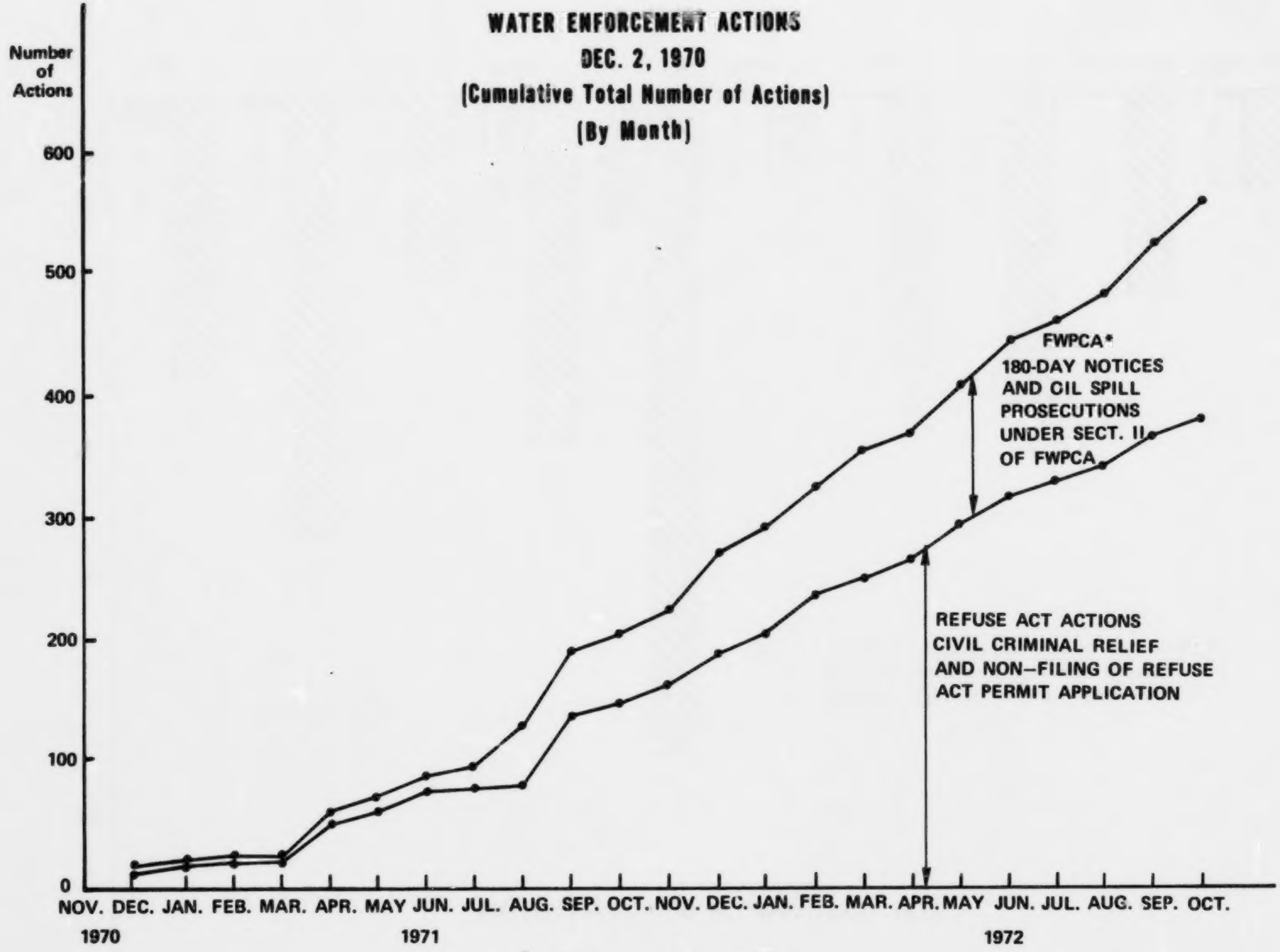
*Comprises Referrals to Justice Department for Prosecution, as well as Other Pollution Abatement Actions Identified in the Appendix.

ENFORCEMENT ACTIONS* 1956 - 1972



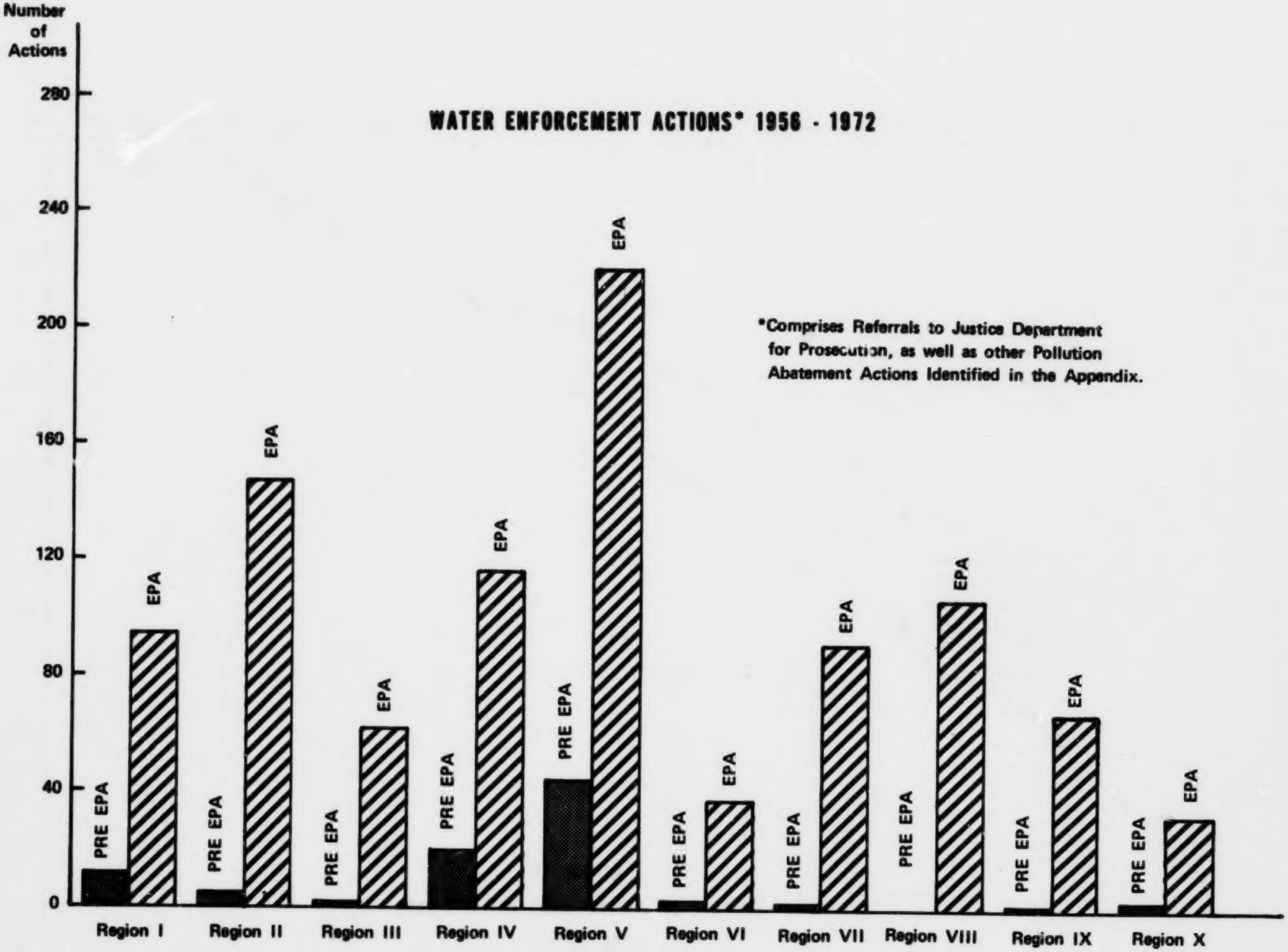
* Comprises Referrals to Justice Department for Prosecution, as well as Other Pollution Abatement Actions Identified in the Appendix.

WATER ENFORCEMENT ACTIONS
DEC. 2, 1970
(Cumulative Total Number of Actions)
(By Month)



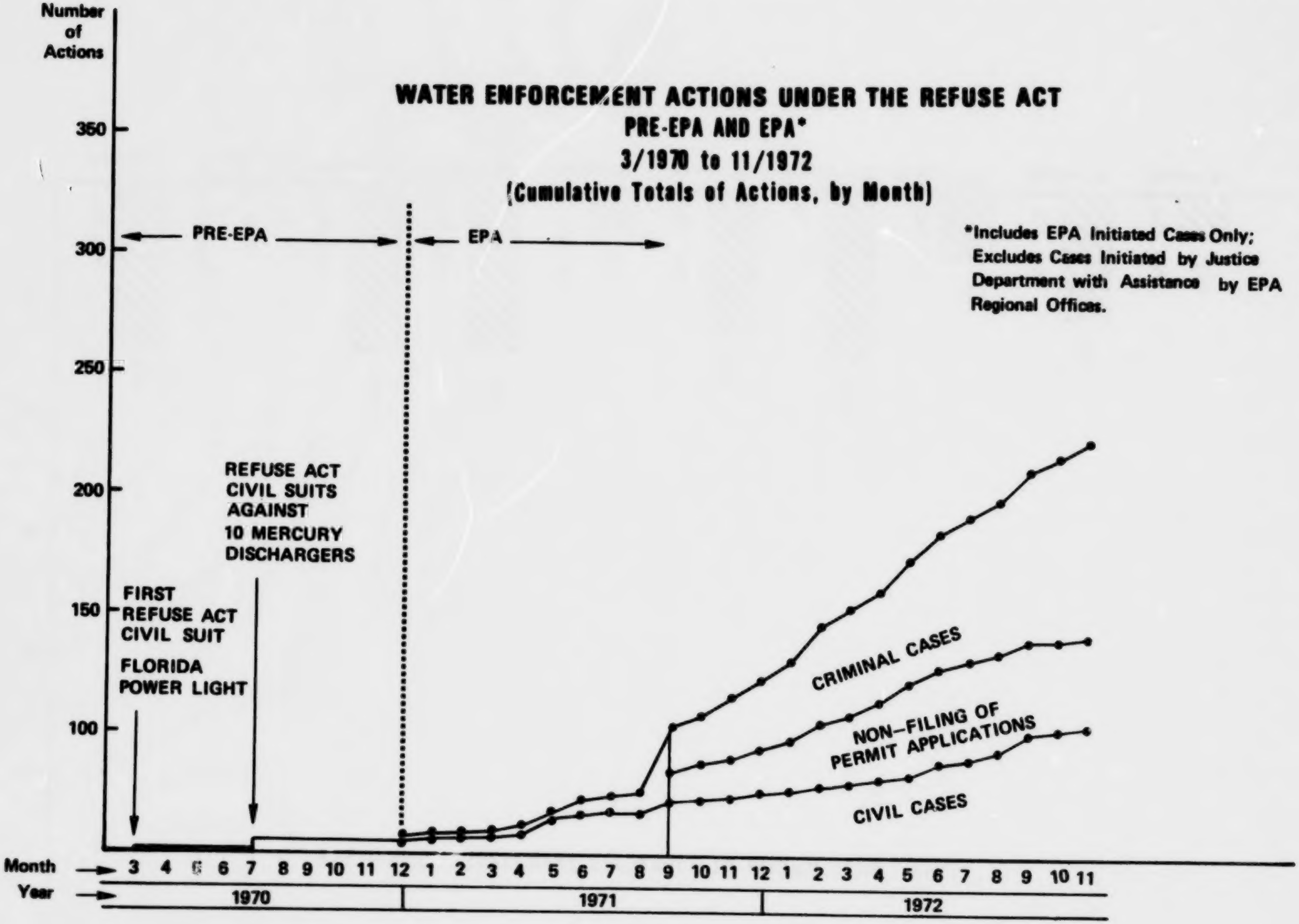
* (Excludes Conference-Type Actions)

WATER ENFORCEMENT ACTIONS* 1956 - 1972

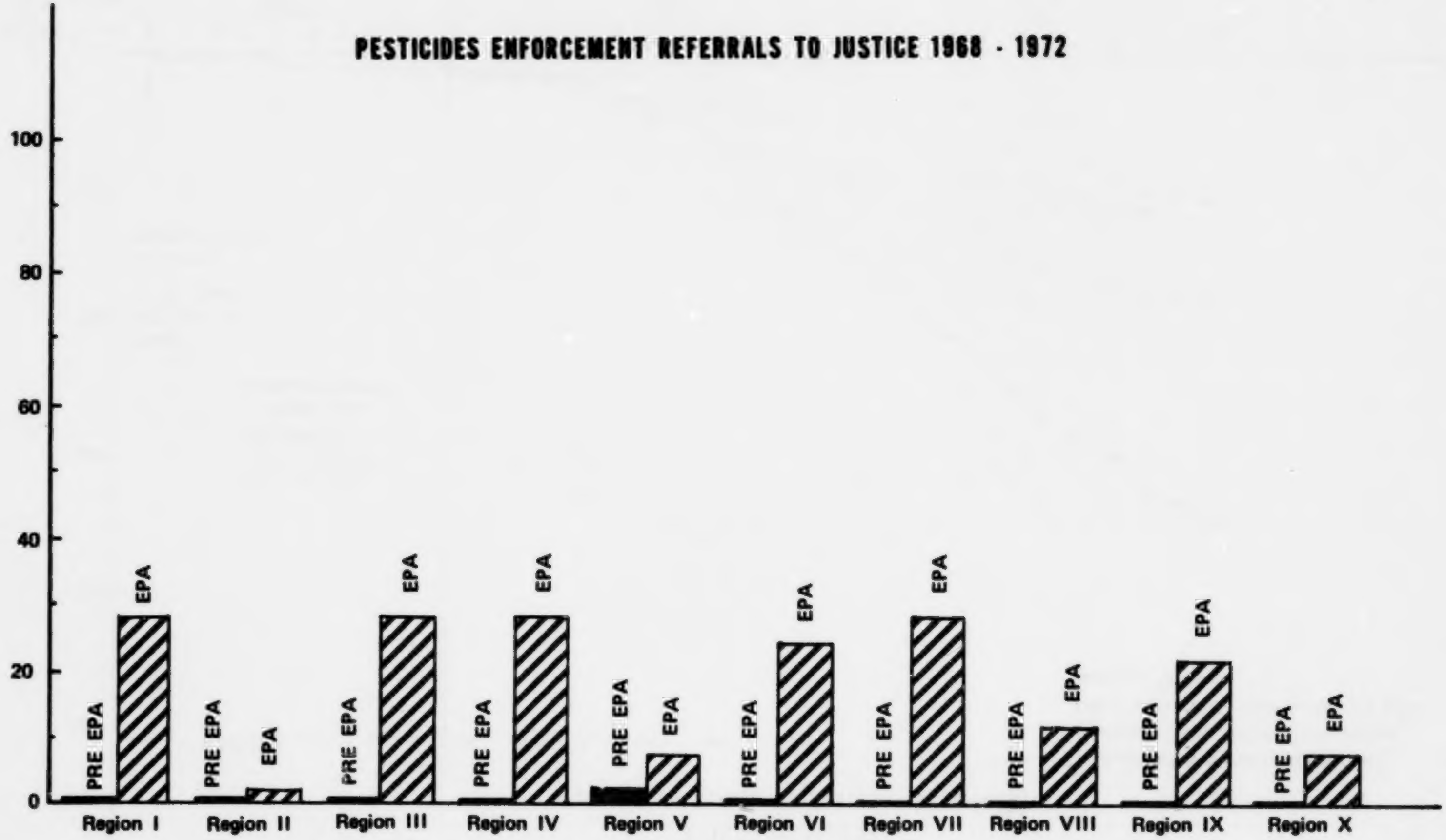


*Comprises Referrals to Justice Department for Prosecution, as well as other Pollution Abatement Actions Identified in the Appendix.

WATER ENFORCEMENT ACTIONS UNDER THE REFUSE ACT
PRE-EPA AND EPA*
3/1970 to 11/1972
(Cumulative Totals of Actions, by Month)



*Includes EPA Initiated Cases Only; Excludes Cases Initiated by Justice Department with Assistance by EPA Regional Offices.



PESTICIDES ENFORCEMENT REFERRALS TO JUSTICE 1968 - 1972

WATER ENFORCEMENT REVIEW

Review

The Federal water quality program is a major component of the Environmental Protection Agency. Its activities for the maintenance and protection of the quality of the Nation's waters for all legitimate uses are basic to the framework of the Agency's purposes and to its capabilities for the accomplishment of these purposes.

The functions of the Federal Water Quality Administration were transferred from the Department of the Interior, effective December 2, 1970, pursuant to Reorganization Plan No. 3 of 1970. These functions provided the Agency's role in the administration of the standards-setting and enforcement, research, and financial and technical assistance aspects of the water pollution control program. The program had previously been transferred to the Department of the Interior from the Department of Health, Education, and Welfare, effective May 10, 1966, pursuant to Reorganization Plan No. 2 of 1966.

Through the vigorous application of all of the available water enforcement mechanisms, which are described hereafter, EPA built in its first two years an impressive enforcement record, told only in part by these statistics: 8 new enforcement conferences of a total of 59 held since 1957 under the Federal Water Pollution Control Act, in addition to reconvenings and additional conference sessions and progress evaluation meetings; 161 water quality standards violation notices (180-day notices) to municipal and industrial dischargers issued under that Act, 11 having been issued by the Agency's predecessor; 97 civil actions, and 143 criminal actions, under the Refuse Act referred to the Department of Justice, and 83 cases involving failure to apply for a permit under that Act.

Authorities

The Federal Water Pollution Control Act, in former section 10, provided for (1) the abatement of pollution of interstate or navigable waters endangering the health or welfare of persons, and (2) for the abatement of pollution lowering the quality of interstate waters below the water quality standards established under the Act.

The first authority, provided in 1956 and expanded by subsequent enactments, set out a three-step enforcement procedure -- conference, public hearing, and court action. The succeeding step was taken if satisfactory progress toward abatement was not attained at the preceding step. The conference could be called at State request in a case of interstate or intrastate pollution. The conference could be initiated by EPA in a case of interstate pollution. The Administrator could also initiate a conference in certain cases of pollution, resulting in economic injury to shellfish producers whether or not the pollution of interstate or navigable waters was interstate in effect. Under standard procedures the conferees, representing EPA, the States, and any interstate water quality agency, convened to review the existing situation and any progress made, to lay a basis for future action for all parties concerned and to give the States, localities, and industries an opportunity to take any indicated remedial action under State and local law.

The second authority, provided in 1965, permitted court action against a discharger alleged to be in violation of water quality standards, after expiration of a 180-day notice period. The legislative history of the 1965 enactment directed that an informal hearing be held on request of a State, the alleged violator, or other interested party, so that, if possible, voluntary agreement could be reached during the 180-day period, thus eliminating the necessity for suit. EPA regulations provided for an informal hearing in any case of a water quality standards violation notice.

The Act was amended in 1970 to provide, in former section 11, for the abatement of pollution by oil in navigable waters, on adjoining shorelines, and in the Contiguous Zone. EPA has shared responsibilities under section 11 with the Coast Guard and other Federal agencies. These responsibilities were assigned by section 11; the National Oil and Hazardous Substances Pollution Contingency Plan, August 1971 (superseded Plan issued June 1970); and Executive Order 11548, July 1970, delegating functions of the President under the 1970 enactment. Federal enforcement may be taken in these cases; (1) failure to notify of harmful discharge (criminal penalty); (2) knowing harmful discharge (civil penalty); (3) vessel in marine disaster (removal or destruction, cost recovery); (4) imminent and substantial threat, onshore or offshore facility (court relief); (5) recovery of cleanup cost; (6) violation of removal and prevention regulations (civil penalty). EPA was made responsible for enforcement in the case of an imminent and substantial threat to the public health or welfare because of an actual or threatened discharge of oil into or upon navigable waters from an onshore or offshore facility (former section 11(e)). EPA was assigned responsibility in inland waters for the assessment of civil penalties in cases of violations of removal and prevention regulations, and the support of the Coast Guard in its enforcement responsibilities. (This authority continues substantially unchanged in the amended Act, section 311, and now covers as well pollution by hazardous substances.)

The Refuse Act, section 13 of the River and Harbor Act of 1899, prohibits the discharge of refuse (except that flowing from streets and sewers and passing from them in a liquid state) into navigable waters without a permit, or in violation of the conditions of a permit. The Act was administered for many years by the Army Corps of Engineers primarily in the interest of navigation. Although court decisions had supported the Act's use in water pollution abatement cases, it was not until 1970 that it became a viable water pollution enforcement mechanism. The Act does not expressly provide for injunctive relief, but the Supreme Court has ruled that the Federal Government may obtain injunctions under the Act. Generally, EPA has not recommended criminal prosecutions under the Refuse Act other than in cases of isolated or instantaneous discharges resulting in serious damage. A civil remedy has generally been more effective in preventing future pollution.

The Refuse Act Permit Program, established under Executive Order 11574, December 1970, took effect July 1, 1971. The program required that all discharges or deposits into navigable waters or their tributaries, or into waste treatment systems other than municipal from which the matter will flow into navigable waters or their tributaries, should be made only in compliance with the conditions of a permit issued by the Army Corps of Engineers. EPA was responsible for determinations with respect to water quality aspects of the permit. The failure to make timely application for a Refuse Act permit under the program became cause for enforcement action.

A Federal court decision in the Kalur case December 21, 1971, enjoined the granting of permits under the program until the Army Corps of Engineers amended its permit regulations to require environmental impact statements as specified by the National Environmental Policy Act. The court also held that no permits whatever could be issued for discharges into nonnavigable tributaries of navigable waters. A further legal obstacle was created by the decision of the Third Circuit Court of Appeals in the PICCO case, May 30, 1972, that the company could not be held criminally responsible for discharges under the Refuse Act until a permit system was in operation. These legal difficulties were removed with respect to future cases by the Federal Water Pollution Control Act Amendments of 1972.

As a result of the Kalur decision, EPA established in April 1972 a voluntary abatement program, the abatement commitment letter program. Its purpose was to enable EPA to move forward toward the permit program goal of requiring dischargers to adopt comprehensive abatement programs with greater speed and efficiency than would be possible if formal litigation were instituted against every discharger. EPA would secure letters of commitment from individual dischargers, setting forth their agreement to undertake an abatement program satisfactory to EPA. These commitment letters set out specifically what the discharger intended to do to abate pollution caused by his discharges, and when it would be accomplished. Negotiation of commitment letters was backed up by the sanction that if agreement could not be reached, EPA would request that suit be filed. This program filled a temporary void until the new water law was enacted, and during its operation over 180 commitment letters were signed throughout the country.

The following pages present an overview of more significant water enforcement actions the Agency has taken, as well as significant achievements. In addition, the section on water enforcement actions discusses the salient facts on every water enforcement action taken by the Agency.

CASE HISTORIES OF SELECTED INDIVIDUAL ACTIONS

Key water enforcement actions taken under the authorities described in the preceding part are discussed in this section of the review.

Refuse Act of 1899 Civil Cases

(1) United States v. Florida Power and Light Company,
1 ERC 1283 (D.C. Fla. 1970)

The Biscayne Bay Enforcement Conference was held in February 1970 and recommended that Florida Power and Light abate its thermal pollution so that there would be no discharge in excess of 90°F at any time. No action was taken by the Company and on March 13, 1970, the Justice Department filed suit in U. S. District Court for the Southern District of Florida.

In the lawsuit, the United States sought to protect the Biscayne National Monument and to enjoin the defendant power company under the Refuse Act from discharging heated water into Biscayne Bay at Turkey Point. The Government alleged that the heated water was causing harm to the marine life of the Bay. Since the Court found only "minimal and retrievable" damage to the ecology of the Bay, a preliminary injunction was not granted.

In September 1971, after lengthy and difficult negotiations involving EPA, the Department of Justice, the Department of the Interior, the State of Florida, and the company, the case was resolved by consent decree. By the terms of the Decree, the defendant agreed to build within five years a recirculation-cooling system that would minimize thermal discharges to the Biscayne Bay Estuary. The company is required to build an extensive system of canals between Turkey Point and Card Sound. While the system is being built, the company may use the canals to discharge cooling water into Card Sound. Once the system is in operation, the canals will allow discharges of water to prevent excessive concentration of salts in the cooling system. The total cost of the project is expected to be about 35 million dollars.

(2) United States v. Armco Steel, 33 F. Supp. 1073
(D. C. Tex 1971)

The United States filed suit against Armco on December 9, 1970, in the Federal District Court in Texas to enjoin the daily discharge of approximately 1010 lbs. of cyanides, 385 lbs. of phenols, and 6200 lbs. of ammonia into the Houston Ship Channel under the Refuse Act. Negotiations to settle the case followed but no agreement could be reached. In June and July 1971, the case went to trial with issues centered on whether the company should be enjoined from discharging into the Ship Channel and from completing an underground injection well system. On September 17, 1971, the Court issued an order enjoining the defendant from disposing of its toxic wastes into the Ship Channel.

On November 4, 1971, a consent decree was filed with the Court by the parties. The decree permits limited discharges to the Channel on the condition that the defendant complete construction of an incineration system for the disposal of wastes. The decree also requires the complete elimination of discharges from certain outfalls presently discharging to the Channel. The Company has complied with the requirements of the Consent Decree and has eliminated its harmful discharge into the Houston Ship Channel.

(3) United States v. E. I. duPont de Nemours & Co.
(East Chicago, Indiana), Civil No. 71H53 (N.D. Ind. 1972)

On February 19, 1971, suit was filed against duPont's plant in East Chicago, Indiana, under the Refuse Act to halt the discharge of approximately 137,000 pounds a day maximum of dissolved solids and other pollutants into the Grand Calumet River. A consent decree terminating the litigation was filed with the Court on November 14, 1972. The Decree provides a two-phased resolution of the Company's discharge problems. The first phase requires interim treatment levels that can be achieved within the next two years. This will result in a substantial reduction in discharge levels consistent with currently available technology. By October 15, 1974, the Company is required to submit a plan for the further treatment of its wastes consistent with the best practical control technology available at that time. The implementation date for these additional facilities is December 31, 1976. The Decree provides for liquidated damages of $5,000 per day for any violation of either the effluent requirements or the deadlines.

A civil suit has also been brought, and a criminal conviction obtained, against U.S. Steel, Gary, Indiana, another discharger into the Grand Calumet River. In addition, other dischargers into the Grand Calumet undertook voluntary abatement plans to reduce their discharges to a level acceptable to the Environmental Protection Agency. The Agency is seeking to secure the reduction of many discharges into one waterway through its enforcement actions.

(4) United States v. ITT Rayonier, Inc. (D.C. Wash. 1971)

In 1967, the Federal-State Puget Sound Enforcement Conference recommended that ITT remove 80% of its sulfite waste liquors discharging from its pulpmill by September 30, 1972. Since the Company did not comply, the Administrator of EPA requested the Justice Department on January 31, 1971, to take legal action against the Company. At this time, the Company was daily discharging approximately 10,450 tons of sulfite waste liquors, 881 tons of solid materials, 255 tons of biochemical oxygen consuming wastes, and 51 tons of sulfur from its Port Angeles, Washington, plant.

A civil Refuse Act suit was filed on March 30, 1971, in U.S. District Court in Washington. At the same time, a stipulation was signed and entered into Court by the parties. The agreement requires the Company to install waste treatment facilities to achieve 85% removal of wastes by June 30, 1974. In addition, the Company must construct a pipeline into the Straits of Juan de Fuca to disseminate the wastes away from the shore. The Company may be required to dredge sludge beds in Port Angeles harbor in which solid wastes have been deposited. The total cost to the Company for the entire project is about $20,000,000.

(5) United States v. United States Steel Corp., (Fairfield, Alabama) Civil No. 71-523 (D.C. Ala. 1972)

On June 14, 1971, the United States filed a civil suit under the Refuse Act against the U. S. Steel Corp., at Fairfield, Alabama for discharging daily over 40,000 pounds of suspended solids, oil and grease, over 1,100 pounds of cyanide, over 4,000 pounds of phenols, and other substances into Oppossum Valley Creek. After extensive technical investigation and negotiations, the parties entered a consent decree on October 18, 1972, terminating the law suit. The Company agreed to complete within 17 months a deep well treatment system for the disposal of waste pickle liquor, install within 27 months a recirculation system for its coke plant with ammonia stripping and activated sludge treatment for the blowdown, operate within 12 months a hydrothickener for treatment of the tin mill wastes, and construct within 17 months an effluent control pond. These treatment facilities will achieve a reduction in phenols of 99.5%, in cyanide of 98%, in ammonia of 92% and in 5-day BOD of 84%. The effluent requirements are defined in terms of net daily loading for the critical parameters. Monitoring and reporting provisions are also contained in the decree.

(6) United States v. Reserve Mining Company (D. C. Minn.)

Federal enforcement proceedings against the Reserve Mining Company began in 1969 with the Lake Superior Enforcement Conference. Approximately 67,000 tons of taconite tailings are discharged daily into Lake Superior. The Conference involved informal discussions with the States and polluters of Lake Superior to determine the problems that existed and appropriate abatement steps. Following the second session of the Conference, held in April and August of 1970, the Administrator of EPA recommended that Reserve submit its preliminary plans by December 1, 1970, and final plans by July 1, 1971. At the January 1971 meeting of the second session, Reserve proposed a disposal system which involved removal of the heavier tailings by stripping and thickening and adding a coagulant to the fine tailings so that the fines would settle. The tailings would then be discharged to the Lake. The conferees did not endorse any disposal method; an alternate method was on land disposal. At the reconvened second session in April 1971, the conferees recommended that further Federal enforcement measures be initiated against the Company. Reserve failed to comply with the Conference recommendations, and was served on April 28, 1971, with a 180-day notice for violation of the Federally approved water quality standards applicable to Lake Superior. After failing to reach a voluntary solution in an informal hearing, EPA, on January 19, 1972, formally requested the Attorney General to institute immediate legal action seeking abatement of the pollution caused by Reserve's discharge of taconite tailings.

On February 18, 1972, suit was filed against Reserve in the United States District Court in Minnesota under the Federal Water Pollution Control Act, alleging a violation of water quality standards, and the Refuse Act of 1899. The complaint was amended to include a count under the Federal common law of nuisance. On June 14, 1972, the Court permitted the States of Wisconsin and Michigan and four environmental groups to intervene as plaintiffs, and eleven local towns and business groups to intervene as defendants. In the summer and fall of 1972, the parties were involved in the interrogatory and discovery stage of the litagation. On November 9, 1972, the Court denied Reserve's motion to dismiss pending completion of all pretrial discovery. Depositions of the parties' expert witnesses are scheduled in the first quarter of 1973. The case is expected to go to trial in the spring of 1973.

Refuse Act of 1899 Criminal Case

(1) United States v. Pennsylvania Industrial Chemical Corp. (PICCo) (3rd Cir. 1972)

In August 1970, private citizens took samples of PICCo's discharge of industrial wastes into the Monongahela River. The Company did not have a Section 13 Refuse Act permit. After the citizens notified the United States Attorney of the situation, a criminal information against PICCo was filed on April 6, 1971, under the Refuse Act. Criminal charges were also made against the Wheeling-Pittsburgh Steel Corporation, Jones & Laughlin Steel Corp., and the United States Steel Corp., all in the Pittsburgh area. A jury returned a verdict of guilty on June 20, 1971.

On May 30, 1972, the Court of Appeals reversed the conviction and granted a new trial. The Court held that a defendant charged with violation of the Refuse Act based on evidence obtained before December 1970, could both offer proof of the non-existence of a permit program and state that the Corps misled the defendant into believing that a permit was not necessary.

On December 18, 1972, the Supreme Court agreed to review the Circuit Court of Appeals decision.

Mercury Pollution Abatement

In the spring of 1970, mercury was recognized as a critical situation in the pollution control field. In Canada, fish taken from Lake St. Claire were found to contain concentrations of mercury in excess of the limit of .5 parts per million set by the Food and Drug Administration and generally accepted by other scientists throughout the world. At the same time the findings by scientists that mercury or a chemical compound of mercury may be transformed in the aquatic environment to methylmercury, a most toxic form, became generally known. It was also known then that methylmercury could be biologically accumulated. That is, as higher forms of life consumed lower life forms, the mercury concentrations increased. With this knowledge the potential hazard to public health from increasing or unreduced discharges of mercury became clear. The disastrous results of man's consumption of fish containing excessive mercury levels was too graphically illustrated by the Minimata Bay incident in Japan, where over forty persons died as a result.

An intensive Federal water pollution control effort was launched. A list of known or potential mercury users was compiled, and teams of investigators from each of the nine regions (then of the Federal Water Quality Administration, Department of the Interior) covering the entire United States began conducting on-site inspections of each of the potential mercury users. From these inspections and an improved knowledge of the sources and users of mercury and products containing mercury, other potential dischargers were identified and inspections carried out.

When Federal agency inspectors believed mercury might be discharged, effluent samples were taken and analyzed by the national field investigatory unit in Cincinnati. This national unit had the sophisticated equipment, expertise and experience to provide the prompt and accurate results essential to a serious regulatory effort. This group of experts passed their knowledge and techniques to other laboratories throughout the country and the efforts accelerated.

Within twelve months 884 on-site inspections to determine potential mercury sources were completed. Through these inspections and detailed analysis, 73 mercury dischargers were identified. Court action under the Refuse Act was taken against ten of those dischargers; and through meetings with other identified dischargers, voluntary agreement to immediate and substantial reductions was obtained.

As of September 17, 1970, 50 industrial dischargers of mercury had been identified and had achieved an 86% reduction in the amount of mercury being discharged. By the spring of 1971, analyses of those same 50 industrial discharges showed that a total reduction of 97 percent had been achieved. Among those 50 industries were the discharges subject to the ten mercury pollution suits. These ten dischargers were among the first discovered, and a 98.4 percent reduction in the mercury discharged had been achieved in those cases. The entire group of dischargers known in the spring of 1971 had achieved a 91 percent reduction in mercury discharges.

In the court cases, interim stipulations had been entered in nine cases by the end of October 1970, while in the tenth, the offending chlor-alkali plant had been voluntarily closed. The case against Oxford Paper Company was dismissed in the latter part of 1971 by the Federal District Court in Maine. Since 1970, EPA has been continuously monitoring all of these companies' discharge levels. EPA is presently conducting mercury sediment surveys and developing recommendations for the disposal or treatment of sedimentary mercury in each case. It is anticipated that final consent decrees will be entered in the remaining eight cases that will permanently reduce the amount of mercury discharge.

By mid-1971, an awareness of mercury as a serious water pollution problem was widespread, and special attention to the potential of mercury discharges was routine. The challenge of immediate and substantial reductions to remove a serious threat had been met; and a persistent, long-term effort was needed to assure that the gains made were not lost, that there would be continuing attention to further reducing the small remaining discharges and that new or heretofore undetected sources would be found and brought under control. The Refuse Act Permit Program provided the needed tool then, and currently the new legislation provides the program of control through the National Pollutant Discharge Elimination System. The occasional discovery of additional industries discharging large quantities of mercury continues to be met with the same requirement for vigorous action to achieve immediate and substantial reductions, while the program of effluent permits assures constant attention and continued efforts to further reduce mercury discharges.

(1) City of Atlanta, Georgia

On December 9, 1970, the Administrator of the Environmental Protection Agency issued a 180-day notice to the City of Atlanta, Georgia, for discharging effluent into Utoy Creek and the Chattahoochee River in violation of established State and Federal water quality standards.

The informal hearing was held January 12, 1971. At the informal hearing, the Mayor of Atlanta agreed to propose a detailed plan to the City's Board of Aldermen at the Board's January 18, 1971, meeting, for funding the necessary treatment facilities so that a detailed construction schedule could be developed. Action was promptly initiated by the City to finance and schedule the construction of remedial facilities.

This schedule calls for construction to be completed at the R.M. Clayton plant by May 1973, and construction to be completed at the Utoy Creek plant by April of 1973. On June 11, 1971, the Administrator approved Atlanta's time schedule for construction of the necessary facilities. Atlanta's new treatment facilities are now well under construction. It is possible that the construction deadlines may be missed by a few months. In a project of this magnitude, such delays are not unusual, and compliance, therefore, is considered to be satisfactory.

(2) City of Detroit, Michigan

On December 9, 1970, the Administrator of Environmental Protection Agency issued his first 180-day notice. One was issued to the City of Detroit for violating the State and Federal water quality standards established for the Detroit River and Lake Erie. The standards being violated included those for floating solids, residues, dissolved oxygen, taste and odor producing substances, nutrients, and suspended, colloidal, and settleable materials.

An informal hearing on the notice was held in Detroit on February 1, 1971. As a result of the hearing and subsequent meetings among EPA, Detroit, and the State of Michigan, agreement was reached on an abatement program for the City. The specifics of the agreement are embodied in a Final Order of Determination issued to Detroit by the Michigan Water Resources Commission on

May 21, 1971. The Final Order was adopted unanimously by the State Commission with EPA's endorsement. While original recommendations of the Lake Erie Federal-State Enforcement Conference called for only 80 percent total phosphorus reduction, the Detroit agreement calls for 90 percent removal of phosphorus by the end of 1975. In addition, the agreement requires a 90 percent reduction in biochemical oxygen consuming wastes by the summer of 1976, when full secondary treatment is to be in operation.

The major problem being encountered by the City of Detroit at this time is the removal of suspended solids. In cooperation with the State of Michigan, an acceptable program of solids disposal in a sludge cake landfill is being investigated. This massive landfill project will handle up to 800 wet tons of filtered out suspended solids per day. A site has been selected by the contractor in nearby Macomb County, north of Detroit.

It should be noted that the State of Michigan has offered consistent and active support to the City in its effort to resolve its water pollution problems.

(3) Cleveland, Ohio and 30 Suburban Communities

City of Cleveland

On December 9, 1970, the Administrator of the Environmental Protection Agency issued a 180-day notice to the City of Cleveland, Ohio, for violation of Federal-State water quality standards for Lake Erie. The violations cited concerned public water supply criteria for bacteria, recreational criteria for bacteria, and the "four freedoms." On January 28, 1971, an informal hearing was held pursuant to the established 180-day notice procedures. After months of negotiations between EPA, the City of Cleveland, and the State of Ohio, an agreement was reached. This agreement was not fully implemented principally as a result of:

1. The lack of approval by the Cleveland City Council of an increase in the sewer rate structure required to implement the plan; and,
2. The lack of an agreement between Cleveland and the 31 suburban communities that are connected to the Cleveland system.

On July 20, 1971, EPA called a meeting in Cleveland to assess the necessity for further direct EPA abatement action in the Cleveland area in order to fully implement the agreement between EPA and Cleveland. It was clear that the plan agreed to by the City of Cleveland and EPA, even though reasonable in terms of dates for compliance and facilities to be built, could not be met unless the City of Cleveland and the suburbs it serves reached an agreement on a plan to pay for the needed improvements.

Issuance of the 180-Day Notices to the Suburbs

On August 9, 1971, the Administrator issued 180-day notices to the 30 suburban dischargers to the City of Cleveland sewerage system for violation of Federal-State water quality standards; these violations being public water supply criteria for bacteria, recreational criteria for bacteria, and the "four freedoms." (The City of Euclid discharges part of its waste to the Cleveland system. A separate 180-day notice was issued to Euclid on July 30, 1971.)

The Lake Erie water quality criteria compliance schedule violations result from the collective discharges by Cleveland and the suburbs through Cleveland's three inadequate treatment plants. The suburbs account for approximately 40 percent of the wastes discharged.

Prior to the issuance of the 180-day notices to the suburbs, the responsibility and burden for control of pollution in the Cleveland area had essentially been placed on the City of Cleveland alone. The State of Ohio, in April of 1970, imposed a building ban on the City of Cleveland to halt further connections to the sewer system.

On September 24, 1971, an informal hearing was held, pursuant to the 180-day notice, between EPA and the 30 suburban dischargers. The State of Ohio and the City of Cleveland also participated. At the hearing, all parties emphasized the need for the City and the suburbs to reach an expeditious agreement as to financing and management of the Cleveland Sewerage System.

Agreement was not reached on a specific program and EPA continued its negotiations with the parties involved.

Actions in the Cuyahoga County Court of Common Pleas

During this period of negotiation, a judicial hearing was held in the on-going case of the Water Pollution Control Board of the State of Ohio v. the City of Cleveland. This hearing was held on December 1, 1971. The action had been initiated by the Ohio Water Pollution Control Board in 1970 to enforce the building ban which it had placed on Cleveland in April of 1970. At the December 1971 hearing, the court heard testimony from both parties as to the violations by Cleveland of the Board's order and the pollution problem in general in the Cleveland area. The court, at the conclusion of testimony, granted Cleveland's motion to implead the suburban dischargers as third party defendants. A new hearing date of January 18, 1972, was set for Cleveland's motion to extend the building ban to the suburbs.

On December 7, 1971, there was also a hearing in a separate local case before the Cuyahoga County Court of Common Pleas concerning sewer rates being charged to certain suburbs by the City of Cleveland. The court at this hearing merged the rate case with the Ohio Water Pollution Control Board's building ban case and directed:

> "On or before January 11, 1972, all parties (Cleveland and the 31 suburbs) will formulate and file with the court a plan, acceptable to themselves, for a metropolitan sewer system."

At the January 18, 1972, hearing both Cleveland and the suburbs submitted their respective metropolitan or regional treatment system proposals. The plans, as submitted, were far apart and the court ordered the parties to meet on January 26, 1972, to discuss the differences in their proposals. The three main differences centered around control of the system, plant operation, and rate structure. On the issue of the building ban, the court granted Cleveland's motion for a temporary restraining order extending the ban to the suburbs for 14 days (until midnight February 2, 1972) without a formal hearing on the merits.

On February 1, 1972, the three major areas of differences were discussed in open court by the involved parties.

On February 15, 1972, the court heard testimony with reference to the type and makeup of a possible metropolitan Cleveland sewer district and the conditions that should be established in creating such a district.

At the end of the testimony, the court modified its temporary restraining order imposing its building ban by issuing a permanent injunction against the City of Cleveland and 29 of the suburbs.

On February 23, the court held an informal hearing with the City of Cleveland and the suburbs to discuss the buyout provision for equitably reimbursing or crediting Cleveland for the existing sewerage facilities.

On March 20, the parties involved presented evidence before the court as to the value of the Cleveland system as it now exists.

EPA supported the court in its efforts toward establishing a regional sewer district. Because of the continued forward movement of the court, further EPA legal action was held in abeyance.

On June 15, 1972, the court issued a Judgment Entry creating the Cleveland Regional Sewer District (CRSD.) (This objective was pursued by EPA prior and subsequent to the issuance of the 180-day notices.) The City of Cleveland will be paid $35 million by the CRSD for its sewage treatment facilities. At first, the City of Cleveland will have control of CRSD, but as the population continues to shift to the suburbs so will the control of CRSD.

On June 23, 1972, the court lifted the building ban, but retained jurisdiction in the case.

With the establishment of the CRSD, the Cleveland area is now set to launch an effective cleanup program.

Las Vegas Wash, Nevada

On December 23, 1971, the Administrator of Environmental Protection Agency issued 180-day notices to fourteen dischargers to Las Vegas Wash, an intrastate tributary of Lake Mead, an impoundment of the Colorado River, in violation of the Federally approved water quality standards for the State of Nevada.

The standards for the Colorado River require that such waters be free from materials attributable to domestic or industrial waste in amounts sufficient to affect color or odor, to create a public nuisance, or to interfere with any beneficial uses. The discharges were increasing the salinity of the Colorado River causing economic damage to municipal, industrial, and agricultural users downstream. The discharges were also contributing to the gross eutrophication of Las Vegas Bay, a portion of Lake Mead which is an impoundment of the Colorado River. The eutrophication was being caused by the addition of nutrients causing excessive growth of algae affecting color and odor of water and leading to the staining of boat hulls, a decline in recreational use, and a decrease in aesthetic value.

Hearings were held on January 25, 1972; satisfactory commitments to abate pollution have been made by all fourteen recipients. Region IX continues to monitor progress.

Four of the dischargers, (#1) Clark County Sanitation District, (#2) Las Vegas Valley Water District, (#3) City of Las Vegas, and (#4) City of Henderson, are working together to abate pollution. The Las Vegas Valley Water District, representing the four agencies, met with EPA on March 1, 1972, and April 21, 1972. By letter in June 1972, the District provided EPA with a report providing schedules for the development of treatment and disposal facilities. The schedule calls for the completion of facilities by September 30, 1975.

(#5) Nevada Power Company has pledged to tie into a regional wastewater management system on which construction is to begin in the fall of 1973 and which is to be completed by December 31, 1975. In the event a service agreement cannot be negotiated by October 1973, the firm has pledged to proceed with the design, construction, and operation of its own facilities by October 1, 1973, with a completion date of December 31, 1974.

(#6) Basic Management, Inc. is responsible for wastes discharged by seven firms which enter Las Vegas Wash from unlined evaporation ponds. Those firms constructing their own treatment facilities will cease discharging to the ponds by December 31, 1974. Plants which are joining the regional wastewater management system will cease discharging to the ponds by December 31, 1975.

By letter of May 26, 1972, (#7) Kerr-McGee Chemical Company committed itself to a facilities modification and construction program leading to decreased water use and to no discharge by December 31, 1974.

By letter of May 31, 1972, (#8) Stauffer Chemical Company conditionally committed itself to a program which includes treatment of wastes discharged by (#9) Montrose Chemical Corporation. This program provides for in-plant modifications, treatment, and disposal to lined evaporative ponds and approved disposal sites. Facilities are to be completed by December 31, 1974.

(#10) U. S. Lime Division, Flintkote Company, has committed itself to a facilities modification and construction program leading to decreased water use and to no discharge by January 31, 1973.

(#11) Titanium Metals Corporation of America has pledged to tie into a regional wastewater management system on which construction is to begin in the fall of 1973 and which is to be completed by December 31, 1975. In the event a service agreement cannot be negotiated by October 1973, the firm has pledged to proceed with the design, construction, and operation of its own facilities by October 1, 1973, with a completion date of December 31, 1974.

Discharges from (#12) Jones Chemical Company, Inc. have been permanently abated by evaporation of the effluent stream and disposal of solid residue at an approved location.

By letter of June 8, 1972, (#13) State Stove and Manufacturing Company committed itself to initiate construction of lined evaporation ponds by June 1, 1973, and complete construction by June 1, 1974, resulting in no discharge.

Discharges from (#14) Nevada Sand and Gravel Company have been permanently abated through the use of lined holding evaporation ponds and disposal of solid residue from the ponds at an approved location.

Holly Sugar Corporation

Holly Sugar Corporation, a sugar beet processing company at Torrington, Wyoming, was issued a 180-day notice on June 15, 1971, for discharging inadequately treated wastes to the North Platte River, an interstate stream, approximately nine miles upstream from the Wyoming-Nebraska State line. The bacterial pollution resulting from the sugar beet processing waste violated Federally approved coliform criteria in Nebraska.

At the informal hearing, held on July 21, 1971, Holly Sugar agreed to make every effort to install interim systems prior to the 1971-72 sugar beet campaign, and to complete its permanent treatment system prior to the 1972-73 campaign.

The Corporation has complied with all requirements and the implementation schedule as agreed upon at the hearing.

A closed flume system is installed and Holly Sugar is in compliance with water quality standards.

Ashland Oil & Refining Company

On June 22, 1971, the Administrator of the Environmental Protection Agency issued a 180-day notice to Ashland Oil and Refining Company at Ashland, Kentucky, for discharging effluent into the Big Sandy River, an interstate waterway, in violation of established State and Federal water quality standards.

The Kentucky water quality standards state that waters must be:

> Free from materials attributable to municipal, industrial or other discharges or agricultural practices producing color, odor or other conditions in such degree as to create a nuisance.
>
> Free from substances attributable to municipal, industrial or other discharges or agricultural practices in concentrations or combinations which are toxic or harmful to human, animal, plant, or aquatic life.

Furthermore, the standards of West Virginia, which require that phenols not exceed .001 mg/1, were also being violated.

The informal hearing was held on August 6, 1971. After negotiation, an abatement program was developed. The Company's schedule calls for completion of recommended waste treatment facilities by November 1, 1974. This schedule was submitted as part of Kentucky's amended water quality standards which were approved by the Administrator on December 23, 1971.

There is still some question about the phenols discharged by the company. Further limits on the phenol discharge may be set through the new permit program.

Oil Pollution Cases

(1) United States v. The Refinery Corporation
Criminal Case No. 72-CR-100
U.S. District Court - Colorado

On November 1, 1971, EPA's Denver, Colorado, office was notified that Refinery Corporation, an oil refinery located at 5800 Brighton Boulevard, Commerce City, Colorado, had discharged an undetermined quantity of oil into Sand Creek, a tributary of the South Platte River. Notification of the discharge was given by a newsman affiliated with KROW, a Denver radio station. Following an inspection, EPA officials determined that oil had reached the South Platte River.

At a meeting with EPA officials, Mr. Richard Rankin, plant manager for the Corporation, admitted that the Company was responsible for the discharge, and stated further that no notification had been given to any U. S. Government Agency, despite the fact that Rankin had previously been notified by the U. S. Attorney of his notification obligations under Section 11(b)(4) of the Federal Water Pollution Control Act.

On March 13, 1972, a criminal information was filed in U. S. District Court, charging Refinery Corporation with a violation of Section 11 (b)(4). This suit was instituted by the United States Attorney following a recommendation by EPA.

Defendant filed a plea of Not Guilty, and on April 17, 1972, filed a Motion to Dismiss the Information. The Motion contended, *inter alia*, that the South Platte River was not a navigable stream, and that the notice requirement of Section 11(b)(4) was unconstitutionally vague. At a hearing held before Judge Winner on April 21, 1972, defendant's motion was summarily denied, and the case set for trial. Prior to the trial date, defendant amended its plea from Not Guilty to Nolo Contendere. Defendant's amended plea was accepted by Judge Winner, and at a hearing held on July 7, 1972, the defendant was convicted of a violation of Section 11(b)(4) and was fined a sum of $5000, of which $4000 was suspended, and the defendant was placed on probation for a period of two years.

(2) United States of America v. Carolina Mills, Inc.

On February 7, 1972, the Environmental Protection Agency received a report from the North Carolina Air and Water Resources Commission that oil had entered South Fork Catawba River from an unknown source -- a mystery spill. John C. White, Enforcement Director of Region IV, dispatched an attorney to investigate, and Al Smith, Chief of the Region's Emergency Branch, organized a containment and clean-up operation. Investigation revealed that on February 7, 1972, a fuel oil storage tank overflowed, spilling approximately 5,000 gallons at Carolina Mills, Inc., Newton, North Carolina.

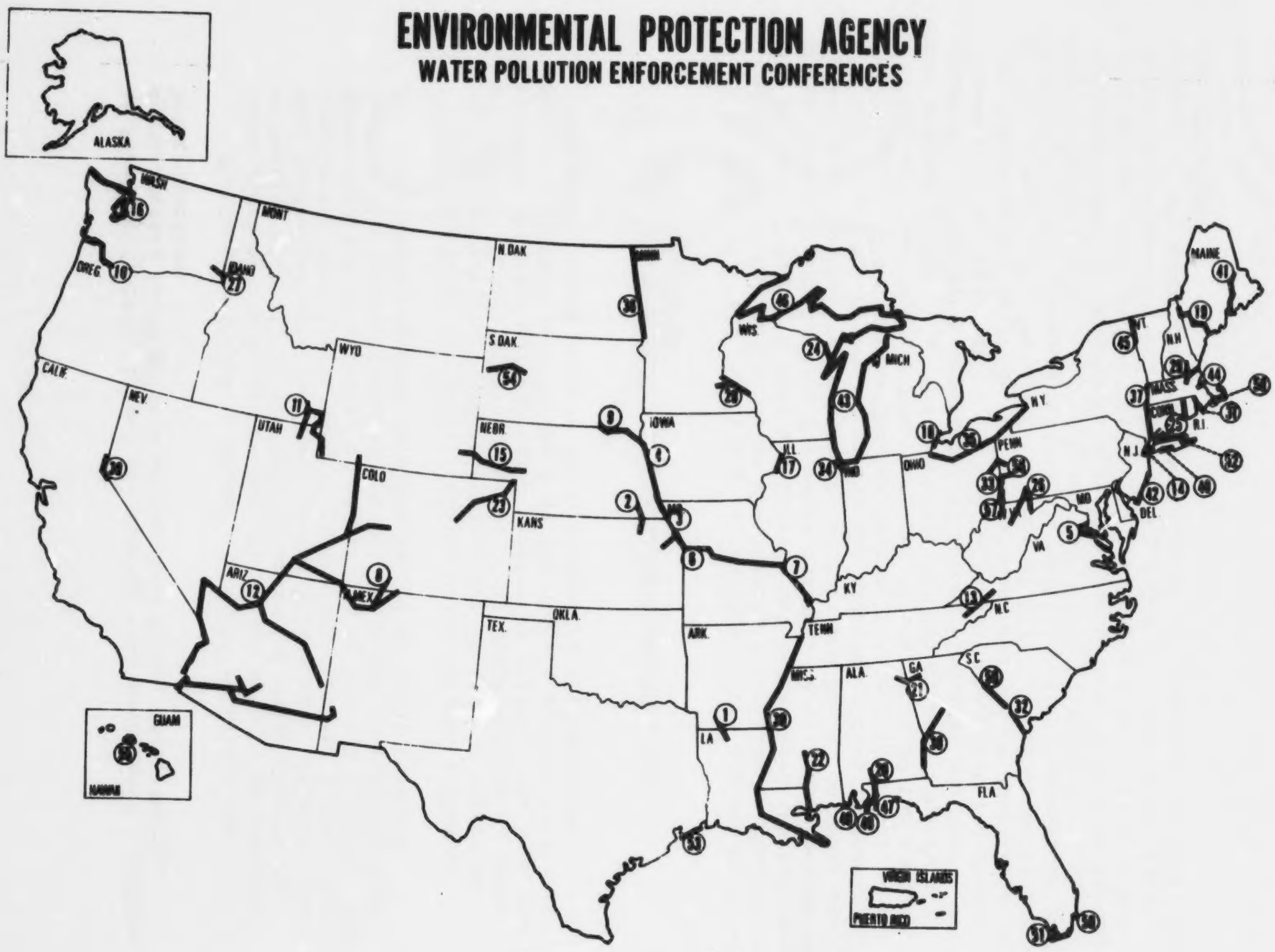
The Company failed to report the spill to either the U. S. Coast Guard or the Environmental Protection Agency, as required by Section 11(b)(4) of the Federal Water Pollution Control Act. When confronted with statutory responsibility for clean-up, the Company did extend full support to the EPA-directed removal effort which resulted in recovery of almost 50% of the oil spilled. The textile firm also reimbursed the Oil Pollution Contingency Fund for exceptional expenses incurred by EPA in spill response.

On September 25, 1972, Carolina Mills offered a plea of nolo contendere to a criminal charge for failure to report an oil spill. United States District Court Judge Woodrow W. Jones rejected the plea and entered a verdict of guilty. The fine was set at a nominal $500.00 based on the judge's opinion that full cooperation by the Company was a mitigating circumstance.

(3) U.S. v. Kennebec River Pulp & Paper Company, Inc. (Madison, Maine)

On March 10, 1972, a fitting fractured on a one and one-half inch pipe leading from a heat exchanger at the company's facility at Madison, and 300 gallons of Bunker C fuel oil leaked out and entered the Kennebec River, where it was lost in the swift current. A citizen reported the spill to the United States Attorney in Portland, Maine, on April 19. The U.S. Attorney in turn asked the EPA regional office in Boston to investigate. EPA attorney Charles Corkin II ascertained that proper federal officials had not been notified of the spill by the company, and located witnesses to the discharge through a local conservation group and at the Maine Department of Inland Fisheries and Game. Corkin transmitted his findings to the U.S. Attorney, who presented them to the federal grand jury. An indictment was returned on June 22, 1972, on two counts: one under the Refuse Act of 1899 (33 U.S.C. §407) for the discharge itself, and one under the oil spill reporting provisions of the Federal Water Pollution Control Act (33 U.S.C. §1161(b)(4)). The defendant corporation entered a guilty plea to both counts on September 29, 1972, and was sentenced on October 13 to pay a fine of $500 on the Refuse Act violation, and $1000 on the failure to notify violation. Because of the shaky financial position of the company, the $1000 fine was remitted.

ENVIRONMENTAL PROTECTION AGENCY
WATER POLLUTION ENFORCEMENT CONFERENCES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ENVIRONMENTAL PROTECTION AGENCY — OFFICE OF ENFORCEMENT

WATER POLLUTION ENFORCEMENT CONFERENCES

The 59 enforcement actions taken under the authority first provided in 1956 are listed below and may be located by number on the accompanying map. The last eight conferences were convened after EPA was established, and conferences were also reconvened under EPA, additional conference sessions held, and progress evaluation meetings held.

1. Corney Creek Drainage System
2. Big Blue River
3. Missouri River-St. Joseph, Missouri Area
4. Missouri River-Omaha, Nebraska Area
5. Potomac River-Washington Metropolitan Area
6. Missouri River-Kansas Cities Metropolitan Area
7. Mississippi River-St. Louis Metropolitan Area
8. Animas River
9. Missouri River-Sioux City
10. Lower Columbia River
11. Bear River
12. Colorado River and all Tributaries
13. North Fork of the Holston River
14. Raritan Bay
15. North Platte River
16. Puget Sound
17. Mississippi River-Clinton, Iowa Area
18. Detroit River
19. Androscoggin River
20. Escambia River
21. Coosa River
22. Pearl River
23. South Platte River

24. Menominee River

25. Lower Connecticut River

26. Monongahela River

27. Snake River-Lewiston, Idaho-Clarkston, Washington Area

28. Upper Mississippi River

29. Merrimack & Nashua Rivers

30. Lower Mississippi River

31. Blackstone and Ten Mile Rivers

32. Lower Savannah River

33. Mahoning River

34. Grand Calumet River, Little Calumet River, Calumet River, Wolf Lake, Lake Michigan, and Their Tributaries

35. Lake Erie

36. Red River of the North

37. Hudson River

38. Chattahoochee River and Its Tributaries

39. Lake Tahoe

40. Moriches Bay and Eastern Section of Great South Bay and Their Tributaries

41. Penobscot River and Upper Penobscot Bay and Their Tributaries

42. Eastern New Jersey Shore-from Shark River to Cape May

43. Lake Michigan

44. Boston Harbor

45. Lake Champlain

46. Lake Superior and Its Tributary Basin

47. Escambia River Basin

48. Perdido Bay

49. Mobile Bay

50. Biscayne Bay

51. Navigable Waters of Dade County

52. Long Island Sound

53. Galveston Bay

54. Western South Dakota

55. Pearl Harbor

56. Ohio River and Tributaries-Pittsburgh, Pennsylvania Area

57. Ohio River and Tributaries-Wheeling, West Virginia Area

58. Mount Hope Bay and Tributaries

59. Savannah River, Middle Reach

Enforcement Conferences

(1) Colorado River and All Tributaries (Colorado-Utah-Arizona-Nevada-California-New Mexico-Wyoming)

The first session of the conference was initiated at written requests from the State water pollution control agencies of New Mexico, Arizona, Colorado, California, Nevada, and Utah. Wyoming concurred. Seven conference sessions have been held as follows: (Session 1) January 13, 1960, at Phoenix, Arizona; (Session 2) May 11, 1961, at Las Vegas, Nevada; (Session 3) May 9-10, 1962, at Salt Lake City, Utah; (Session 4) May 27-28, 1963, at San Diego, California; (Session 5) May 26, 1964, at Las Vegas, Nevada; (Session 6) July 26, 1967, at Denver, Colorado; (Session 7) February 15-17 and April 26-27, 1972, at Las Vegas, Nevada. It is estimated that 279 industries and 96 municipalities are within the conference area.

The Colorado water quality project was established at the first session to study water pollution problems of the Colorado Basin so as to determine specific pollutants and their concentrations, and methods of securing the best water quality for a multiplicity of uses. Salinity, radioactive wastes and the control and disposition of uranium mill tailings piles, and other pollution sources, have been the focus of the abatement programs developed through the conference.

As a result of the conference sessions, radioactive pollution is now well under control. The problem of discharges from uranium mills into the waters of the basin has largely been corrected, but the Environmental Protection Agency is still working with the States to resolve the residual tailings pile problem. At the seventh conference session in 1972, conferees representing the Environmental Protection Agency and the seven basin States recommended that a tailings pile regulation be adopted and implemented by the basin States no later than July 1, 1973.

The Environmental Protection Agency submitted a report in 1971 on the mineral quality of the Colorado River. The report demonstrates the present and projected mineral concentrations in the River. The report has served as the basis for recommendations proposed to enhance and protect the waters of the conference area.

A salinity control policy has been adopted for the Colorado River system that has as its objective the maintenance of salinity concentrations at or below levels presently found in the lower main stem.

In addition, a salinity control program has been instituted in the conference area under the direction of the Bureau of Reclamation.

(2) Chattahoochee River (Georgia-Alabama)

The conference has been held in two sessions on July 14-15, 1966, and February 17, 1970, at Atlanta, Georgia. Twenty-three municipalities, 12 industries, and two military installations are involved.

At the first session, the conferees agreed that the Chattahoochee River in the conference area is polluted due to discharges of wastes from municipalities, industries, and the discharge of oxygen-deficient waters from impoundments.

Through the first session of the conference a remedial program was established. The conference deadline for completion of all necessary facilities was July 1, 1971, for Georgia. (In the case of Atlanta, Georgia, the conferees, subsequent to the second session, extended the deadline to December 1972.) In Alabama, completion of construction was scheduled prior to July 1, 1971.

A major source of pollution to the Chattahoochee River is the City of Atlanta. The Administrator of the Environmental Protection Agency, in one of his first official actions after EPA's establishment, issued a 180-day notice of water quality standards violation to Atlanta on December 9, 1970. EPA and the City reached agreement on stringent abatement requirements and a tight schedule to implement the new program. Atlanta now has these treatment facilities under construction. It is possible that Atlanta may miss its final deadline by a few months, but all in all progress is highly satisfactory.

Compliance for the other conference area waste sources is generally good. Some of these sources missed the final deadline, however; all sources that missed a final completion date have now completed facilities or are well under construction. The one recalcitrant source of pollution (Camp Creek STP) is under a Georgia court order to complete construction of secondary treatment facilities. The EPA regional office in Atlanta is continuing to monitor progress in the area.

(3) Lake Michigan and Its Tributary Basin (Wisconsin-Illinois-Indiana-Michigan)

The first session of the conference was held in Chicago, Illinois, January 31, February 1-2 and 5-7, 1968, and an Executive Session was held March 7-8 and 12, 1968. The second session was held February 25, 1969. Approximately 166 municipalities and 65 industries are within the conference area. At these sessions, the conferees agreed on many far-reaching conclusions and recommendations, some of which were of a preventive nature to protect the Lake's high water quality from future degradation. Among the most important recommendations by the conferees were those calling for 80 percent removal of phosphorus in municipal effluent and a high level of waste treatment by municipalities and industries by the end of 1972.

The third session met March 31 and April 1, 1970; reconvened in Executive Session on May 7, 1970; reconvened in workshop sessions on September 28-30 and October 1-2, 1970; met again in Executive Session on October 29, 1970; and concluded on March 23-25, 1971. These several meetings were primarily concerned with the establishment of thermal requirements for the Lake, although the conference also considered pollution by pesticides, chlorides, phosphates, total dissolved solids, and the status of compliance with conference abatement schedules for municipal, industrial, and Federal waste sources. In light of the conference and workshop discussions of the third session, the conferees reached conclusions and recommendations. The detailed recommendations for control of waste heat discharges were agreed to by the Michigan, Indiana, Wisconsin, and Federal conferees, with the Illinois conferee proposing an alternate recommendation. Unanimous agreement was reached on recommendations concerning pesticides, status of compliance, chlorides, and phosphates.

The Environmental Protection Agency and the four Lake Michigan States met in a fourth conference session in Chicago, September 19, 1972. The conference addressed itself primarily to the progress being made in implementing conference recommendations, including requirements for phosphorus removal, industrial waste control, continuous disinfection, and the control of combined sewer overflows. (No formal recommendations were made and no summary will be issued.) Subsequent to the fourth session of the conference and the enactment of the Federal Water Pollution Control Act Amendments of 1972, a Public Session of the Lake Michigan States and the Environmental Protection Agency was held November 9, 1972. EPA and the States agreed on recommendations regarding pesticides, phthalates, phosphorus, chlorides, PCB's, selected trace metals, storm and combined sewer overflows, taste and odor problems in the Green Bay area, and status of compliance with previous conference recommendations.

The Public Session also recommended the formation of a toxic substances committee with representatives from each State, chaired by Dr. Donald Mount of the Environmental Protection Agency.

An EPA thermal position paper was accepted at the Public Session. As a result, two committees were formed: the Thermal Technical Committee, which will deal with short-term thermal problems, and the Lake Michigan Cooling Water Studies Panel, which will deal with long-term thermal problems. Each committee will have a representative from each of the four States and the Environmental Protection Agency.

EPA's Region V Enforcement Division reports that the December 31, 1972, deadline for meeting phosphorus requirements has been met by a majority of the dischargers. The few remaining dischargers not presently in compliance are expected to comply in the near future. Of special note is the City of Milwaukee, which has built a very efficient phosphorus removal facility.

(4) Boston Harbor and its Tributaries (Massachusetts)

The first session of the conference was held on May 20, 1968, at Boston, under the shellfish provisions of the Federal Act. The second session was held on April 30, 1969, and the third session was held on October 27, 1971. Forty-two municipalities, four Federal installations, and an undetermined number of industries are involved. At the third session, the Environmental Protection Agency urged adoption of stronger abatement measures and recommended installation of secondary treatment facilities for the metropolitan Boston waste load.

The pollution of Boston Harbor results from the discharge of untreated or inadequately treated wastes from municipalities, industries, combined sewer overflows, tributary streams, debris and refuse, watercraft wastes, and Federal installations, including Boston Naval Shipyard, Navy ships berthed in Boston Harbor, the Coast Guard's Base Boston, and Nike Ajax Site B-36 (Hull). As a result, these waters are polluted by bacteria, suspended solids, nutrients, and organic matter causing an oxygen demand.

As a result of the existing or potential pollution of these waters, the Commonwealth of Massachusetts, under the cooperative agreements governing the National Shellfish Sanitation Program, has restricted specific areas so that all shellfish must be processed through a depuration plant prior to marketing.

In response to the recommendations of the Enforcement Conference third session, the Environmental Protection Agency and the Commonwealth signed an agreement July 19, 1972, whereby the Commonwealth committed itself to eliminate the sludge discharged from the Deer and Nut Island waste treatment plants and to provide a minimum of secondary treatment for all wastes discharged into the Boston Harbor area within a time period considered reasonable by EPA's and the Commonwealth's technical people.

Under the agreement, the Commonwealth will complete a comprehensive engineering and management study to determine the most feasible means of achieving a minimum of secondary treatment by April 1, 1974, engineering design and construction plans and specifications for the necessary facilities will be completed by January 1, 1976, facilities to provide a minimum of secondary treatment for all wastes discharged from the Deer and Nut Island plants will be completed by May 1, 1979, and all other new or expanded treatment plants will provide a minimum of secondary treatment for all discharges from the Metropolitan District Commission (MDC) plants by December 31, 1980. The Environmental Protection Agency will have a representative on the technical advisory committee which will monitor the required work.

The elimination of sludge will be accomplished on the following timetable as set forth in the agreement:

1. Engineering firm is to complete a study considering alternate methods of sludge disposal (namely, incineration, wet oxidation, and land disposal) by March 1, 1973.
2. Engineering design plans and specifications for construction of sludge facilities will be completed by July 1, 1974.
3. Sludge facilities are to be completed by May 1, 1976.

The New England River Basins Commission is proceeding in their development of a water quality management plan for the Boston Harbor drainage area, in cooperation with the State and Federal agencies concerned, and hopes to have the plan completed by the end of 1973.

(5) Lake Superior (Minnesota-Wisconsin-Michigan)

The Lake Superior enforcement conference has met in two sessions. The first session was held May 13-15, 1969, and was reconvened in Executive Session on September 30 and October 1, 1969. The second session has met four times - April 29-30, 1970; August 12-13, 1970; January 14-15, 1971; and April 22-23, 1971.

Significant pollution sources to the Lake include the discharge of treated and untreated municipal and industrial wastes; taconite tailings discharged directly to the Lake by the Reserve Mining Company; wastes from watercraft; oil discharges from industrial plants, commercial ships and careless loading and unloading of cargoes; and land runoff resulting from poor land management practices.

Approximately 52 municipalities, 34 industries, and 14 Federal installations are involved.

The first conference session recommended a remedial program. This was approved and issued by the Secretary of the Interior with supplemental recommendations for Reserve Mining Company. (Reserve discharges approximately 67,000 tons of taconite tailings per day to Lake Superior.)

Following the second session of the conference, held in April and August of 1970, the Administrator-EPA recommended that Reserve submit its preliminary plans as recommended by the conferees (i.e., by December 1, 1970) and submit final plans by July 1, 1971.

At the January 14-15, 1971, meeting of the second session, Reserve proposed a disposal system for its wastes. This system involved removal of the heavier tailings by stripping and thickening and adding a coagulant to the fine tailings so that the fines would settle. The tailings would then be discharged to a deep gorge in the Lake just offshore from Reserve Mining's operations. Technical questions were raised about this method of disposal. The question of land disposal as a preferable alternate to water disposal was raised. The conferees did not endorse any disposal method, but established a technical committee to consider Reserve's plan and land and other water disposal methods. The Technical Committee was to report to the conferees in 45 days.

The second session reconvened on April 22-23, 1971, and the conferees considered the report of the Technical Committee. The conferees recommended that further Federal enforcement measures be initiated against Reserve Mining Company. On April 28, 1971, the 180-day notice was issued to Reserve by EPA. On January 20, 1972, this case was referred to the Justice Department for appropriate legal action. A civil suit was filed on February 17, 1972, under the Federal Water Pollution Control Act and the Refuse Act. The complaint was amended to include a count under Federal common law of nuisance. In addition, EPA issued 180-day notices to three other problem waste sources affecting Lake Superior. These are the City of Superior, Wisconsin, Superior Fiber Products at Superior, Wisconsin, and the City of Hurley, Wisconsin. These three actions have been resolved satisfactorily. Treatment requirements and time schedules have been established, and all three sources are well on their way toward construction of the necessary facilities. Superior Fiber Products will provide independent treatment facilities and has already done in-plant work sharply reducing its waste load.

Except for the Reserve Mining problem, which has tremendous importance and has not yet been resolved, abatement progress in the conference area is generally satisfactory. Abatement, however, is not proceeding as quickly as originally anticipated in the Duluth, Minnesota, area. This is in part due to the recent Western Lake Superior Sanitary District which will handle the wastes from Duluth. As the Sanitary District will provide a better solution to the pollution problems of this area than small independent facilities at a number of waste sources, the delays that have been encountered in the establishment of the District are not considered to be a significant problem at this point.

(6) Galveston Bay and Its Tributaries (Texas)

The Administrator of the Environmental Protection Agency called the conference under the "shellfish provisions of the Federal Water Pollution Control Act." The conference was held on June 7-12 and November 2-3, 1971, at Houston, Texas. There are approximately 141 municipal and domestic waste dischargers and 136 industrial waste dischargers within the Galveston Bay conference area.

As a result of conference recommendations, effective disinfection of all waste sources contributing bacteriological pollution to the Bay system is being pursued by the Texas Water Quality Board (TWQB) on a case-by-case basis.

TWQB has issued orders calling for the centralization of sewage treatment plants and the elimination of small facilities. Compliance is mandated in the orders before December 31, 1974.

A joint waste source survey is being conducted in the Bay area by EPA and TWQB. This survey commenced during April 1972. Approximately one-half of the waste effluent flow to the Houston Ship Channel has now been analyzed.

In accordance with conference Recommendation No. 8, TWQB permits are being amended to require oil and grease concentrations in waste effluent to be not greater than 10 ppm.

In accordance with Recommendation No. 10, the organic sludge problem in the Houston Ship Channel is currently under evaluation. In addition, EPA and the Corps of Engineers have proposed the construction of a ringed diked spoil area on Atkinson Island. Further studies of the environmental impact of this proposal have been advised.

An assessment of feasible processes to accomplish color removal from waste sources has been made by the conference technical committee. It has been determined that the technology for color removal has not been sufficiently developed to require color removal processes to be installed at the present time.

In accordance with Recommendation No. 13, TWQB is conducting an abatement program to attain a total BOD effluent level of approximately 60,000 pounds per day by December 1973.

Conference data being developed will be used in the permit program under the Federal Water Pollution Control Act Amendments of 1972. In particular, the waste source survey now being conducted will be valuable in determining effluent limitations.

The following tables show key facts about water enforcement actions initiated, or participated in, by EPA since the Agency's establishment. The categories include:

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REFUSE ACT CIVIL ACTIONS REFERRED TO JUSTICE

Table 1

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Alabama By-Products Tarrant, Alabama	Five Mile Creek	Coke waste	6/2/71	Latest draft of EPA's proposed consent decree sent to company's counsel on 12/8/72. Next meeting with company scheduled for late December or early January 1973.Case filed 6/18/71.
Alaska Lumber & Pulp Sitka, Alaska	Silver Bay at Sawmill Cove (coastal waters)	Sulfite pulp mill discharges SWL and settleable solids, resulting in toxic concentrations of SWL, depressed DO levels, and sludge deposits. No primary or secondary treatment is provided.	5/17/71	Issued state permit,5/17/71 Administrator Ruckelshaus asked Dept. of Justice to institute criminal proceedings under Refuse Act. Justice requested change to civil action; Headquarters concurred. U.S. Atty declined to file complaint due to language in Alaska WQS stating "compliance necessary by 1972" was permissive and grounds for injunctive action were weak.
American Can Co. Rothschild, Wisconsin	Wisconsin River	Discharge of pulp and paper mill wastes	9/29/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
American Cyanamid Co. Marietta, Ohio	City of Marietta STP	Discharge of industrial waste to city STP	9/25/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.
American Cyanamid Savannah, Georgia	Savannah River	Acid	6/16/72	Under review by U. S. Attorney. U. S. Attorney negotiating with company concerning treatment methods.
Amstar Philadelphia, Pennsylvania	Delaware River	Excessive BOD loadings	9/30/72	Pending.
Anaheim Citrus Products Co. Yuma, Arizona	Colorado River	Citrus wastes	5/18/72	U. S. Attorney declined to prosecute consent decree in negotiation.
Armco Steel Houston, Texas	Houston Ship Channel	Cyanide, phenols, ammonia, sulfides	11/70 (ref. from Hqs.)	Periodic survey for compliance with Court Order of 11/4/71, completed 7/72.
Bayonne Industries Bayonne, N. J.	Kill van Kull	Oil	12/8/71	Case not yet filed.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Sam Beacham Kitty Hawk, North Carolina	Currituck Sound	Dredge & fill refuse	8/7/72	Case filed 8/25/72 Ninety-day injunction issued 9/1/72, extended to 2/5/73.
Beaunit Corp. Elizabethton, Tennessee	Watauga River	Textile wastes	9/18/72	Under review by U. S. Attorney.
Bemberg, Inc. Elizabethton, Tennessee	Watauga River	Textile wastes	9/18/72	Under review by U.S. Attorney.
Big Blue River Trash Dump, Kansas City, Missouri			2/9/72	Not filed.
California Marine Packing Co. (Div of Westgate-California Foods, Inc.) Los Angeles, California	Outer Los Angeles Harbor	Fish processing wastes, which lower oxygen in water and have resulted in fish kills	6/9/72	U. S. Attorney declined to prosecute.
Carnation Milk Mt. Vernon, Missouri	Williams Creek	Milk processing waste	2/4/72	Company refused to enter into consent decree 5/25/72. U.S. Attorney declined to prosecution 6/26/72.
Caruthersville, Missouri	Mississippi River	Land fill	2/15/72	Not filed.
Casino Pier, Inc. Lake Ozark, Missouri	Lake of the Ozarks	Fuel oil	11/2/72	Pending.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Central Railroad of N.J., Raritan, New Jersey	Raritan River, Gaston Avenue Brook	Oil	11/15/71	Action filed 12/20/71.
Central States Paper and Bag, Palatka, Florida	St. Johns River	Paper wastes	12/71	Filed 1/72 - dropped 11/72.
Chase Bag Company Chagrin Falls, Ohio	Chagrin River	Discharge of BOD, SS, and dyes	4/21/71	Civil suit filed 5/17/71. Consent decree 10/6/72-established effluent limitations to be met effective 10/6/72.
Chicago & Eastern Illinois Railroad Dolton, Illinois	Little Calumet River	Discharge of oil	6/27/72	EPA referred criminal case to U.S. Attorney. Motion for preliminary injunction filed 6/29/72. Permanent injunction entered 10/30/72.
Clow Corp., Tarrant, Alabama	File Mile Creek	Alk, pH, phenol,oil, grease	6/2/71	Dropped.
Consolidated Papers, Inc. 1. Biron Division 2. Kraft Division 3. Stevens Point Division 4. Wisconsin Rapids Div. 5. Wisconsin Plant	Wisconsin River	Discharge of pulp and paper mill wastes	9/27/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.
Crown-Zellerback, St. Francisville, Louisiana	Mississippi River	Taste & odor compounds	8/28/72	No action to date, requested U.S. Atty. to return our files.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Custom Canners Atlanta, Georgia	Peachtree Creek	Cannery wastes	6/1/72	Case filed 6/9/72. Consent Decree 8/25/72.
Denver & Rio Grande Western Railroad Co., Burnham Yards, Denver, Colorado	South Platte River	Discharge of refuse	10/17/71	Stipulation agreement.
Diamond Shamrock Muscle Shoals, Alabama	Tennessee River	Mercury	7/70	Stipulation 10/26/70, Defendant agrees to minimize mercury in discharge. Monitoring continues to date.
Borough of Edgewater Edgewater, New Jersey	Hudson River	Refuse & scrap material	11/24/71	Prosecution declined.
El Dorado Terminals Corp., Bayonne, New Jersey	Kill van Kull	Oil	10/13/71	Case not filed. Company ceased discharge.
Florida Power & Light Co., Dade County, Florida	Biscayne Bay	Heated effluent	3/70	Consent decree 9/10/71. Defendant agreed to cooling reservoir. Court maintains jurisdiction.
FMC Baltimore, Maryland	Baltimore Harbor	BOD, oil & grease & phenol	7/21/72	Pending.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
FMC Marcus Hook, Pennsylvania	Delaware River	Acid discharge	9/30/72	Pending.
Gambel Island Feeders, Inc., Payette Co., Idaho	Snake River	Cattle waste discharged from feedlot directly to navigable water, creating substantial human health problem.	9/1/72	Consent Decree entered 9/12/72 provided for complete abatement from operation by 8/31/73. Company is "phasing out" its operation. Field inspections scheduled for 3-73 and 9/1/73.
General American Transportation Corp. Carteret, New Jersey	Arthur Kill	Oil, mineral spirits	8/18/72	Information filed 10/27/72.
Nick George Brattleboro, Vermont	West River	Building materials discharged	6/18/71	Filed 6/18/71 Court order issued to remove building materials from river.
Georgia-Pacific Corp., Bellingham, Washington	Whatcom Creek Waterway--Bellingham Bay, also affects Samish Bay and Anacortes area waters	Discharging without permit. Chlor-alkali plant discharging mercury to water environment causing mercury deposits and floating mercury solids, potential for serious human health problems.	7/29/70	Suit filed 7/29/70. Company required to reduce discharges to less than 8 oz. per day; also submit monthly reports. Meetings ongoing at present to reach agreement on terms of any permit we may issue.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Georgia Pacific, Port Hudson, Louisiana	Mississippi River	Taste & odor compounds	9/13/72	U. S. Atty reluctant to prosecute, negotiations continuing. Requested U. S. Atty to return our files.
Georgia Pacific Corp., Tomahawk Tissue Div. Tomahawk, Wisconsin	Wisconsin River	Discharge of pulp and paper mill wastes	9/29/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.
Georgia Pacific Co., Woodland, Maine	St. Croix River	Logging and paper wastes	11/29/71	Filed 1/5/72 Case in discovery stage.
Getty Oil Co. Delaware City, Delaware	Delaware River	Oil and grease, lead and phenols	9/30/72	Pending.
A. Gross & Company, Newark, New Jersey	Newark Bay	Solids, oils, grease	12/6/71	1/11/72 filed, pending.
Growers Citrus Products Co., Yuma, Arizona	Colorado River	Citrus wastes	5/18/72	U. S. Attorney declined to prosecute.
Growers Co-op, Westfield, New York	Chatauqua Creek	Color solids	5/6/71	Filed on 8/9/71. Consent decree 11/9/71.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Hamakua Sugar Mill Co. (owned by Theo. H. Davies and Co.) Island of Hawaii	Pacific Ocean	Cane trash (leaves, roots, & cane tops), bagasse (crushed remains of cane stalks), & sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Honokoa Sugar Co. (owned by Theo H. Davies & Co.) Island of Hawaii	Pacific Ocean	Cane trash, bagasse, & sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Hooker Chemical Corp., Industrial Chemicals Div., Niagara Falls, New York	Niagara River	Chlorine, mercury	3/10/72	Case not yet filed.
Hoover Ball Bearing Beatrice, Nebraska	Big Blue River	Acid wastes	3/30/72	Consent order filed 10/4/72, $2,500 bond. Inplant modifications and city connection included.
Houston Lighting & Power Co., Houston, Texas	Cedar Bayou-Houston Ship Channel	Thermal & transfer of dirty water to clean area		3/28/72 (civil suit filed) HL&P currently evaluating settlement proposed by RA. Trial currently scheduled for 2/19/73. Filed by U.S. Attorney.
Hutchinson Sugar Co., Hawaii		Sugar mill wastes	3/17/72	Pending.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
International Industries Sayreville, New Jersey	Raritan River	Oil	2/4/72	Case not yet filed.
Islip, New York	Long Island	Domestic and industrial wastes	4/20/72	
Iron-Oxide Corp., Elizabeth, New Jersey	Arthur Kill	Lime filter cake	10/21/71	Case filed 1/7/72. Pleaded guilty to one criminal count 6/13/72.
ITT-Rayonier, Port Angeles, Washington	Puget Sound	Sulphite waste, liquor	1/31/70	Case filed 3/30/71 and stipulation entered.
Jones & Laughlin Steel Corp., Cleveland, Ohio	Cuyahoga River	Discharge of cyanides, phenols, etc.	12/17/70	Civil suit filed 12/18/70. Consent decree 12/16/71 calls for recycling by 11/74 and blowdown to go to city STP.
Jellico Industries, Tennessee	Holbert Creek	Acid and salt	5/72	
Kaiser Aluminum & Chemical, Baton Rouge & Gramercy, Louisiana	Mississippi River	Spent bauxite, COD chromium, other toxic metals	10/13/72	Consent decree signed and filed in District Court Filed by U.S. Atty. First cost $4,000,000. Red mud out by 7/74-Gramercy; 7/75-Baton Rouge.
Kaiser Refactories Moss Landing, California	Moss Landing Harbor	Particulate magnesium hydroxide & calcium carbonate	4/17/72	Co. awarded facility construction contract 7/20/72; 8/21/72, it was decided to forego pros. in light of contract award.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
K & W Oil Corp., Casper, Wyoming	North Platte River	Discharge of oil	7/7/72	Consent decree being negotiated by U. S. Attorney and defendant's attorney. Case filed 10/72.
Kitchen-Quip, Inc. Waterloo, Indiana	Cedar Creek	Discharge of chromium, nickel and oil	5/5/71	Case filed and consent decree entered 10/24/72. Company to meet effluent limits by 10/18/73.
Koppers Co., Inc. Birmingham, Alabama	Tributary to Opossum Creek	Coke waste	6/2/71	EPA unable to negotiate with company. U. S. Atty. is preparing interrogatories in this case. Case filed 6/22/72.
Koppers Co., Follansbee, West Virginia	Ohio River	Phenols, cyanide	2/17/71	Case filed and consent decree filed.
Laupahoehoe Sugar Co. Island of Hawaii	Pacific Ocean	Cane trash, bagasse, and sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Marcal Paper Company South Hadley, Massachusetts	Stoney Brook (Connecticut River)	Dyes, cellulose fibers, suspended solids, wastes	6/9/72	6/14/72-Complaint filed. Consent decree filed 8/23/72. Effluent limitations to be met by 10/1/72.
Marietta, City of Ohio	Ohio River	Discharge of BOD and chlorine	9/25/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Marjorie White Big Blue River Trash Dump, Kansas City, Missouri	Big Blue River	Trash on river bank	2/9/72	U. S. Attorney declined prosecution 6/20/72.
Mauna Kea Sugar Co., North Plant (owned by Hilo Coast Processing Co.) Island of Hawaii	Pacific Ocean	Cane trash, bagasse, & sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Mauna Kea Sugar Co., South Plant (owned by Hilo Coast Processing Co.) Island of Hawaii	Pacific Ocean	Cane trash, bagasse, & sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
McWane Cast Iron Co. Birmingham, Alabama	Tributary to Village Creek	Iron waste	6/2/71	Case filed 6/16/71. Progress with company is proceeding slowly. Another meeting scheduled around the Alabama By-Products meeting, since same attorneys involved.
Mosinee Paper Corporation Mosinee, Wisconsin	Wisconsin River	Discharge of pulp and paper mill wastes	10/4/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Mountaineer Coal Co., Fairmont, West Virginia	Monongahela River	Acid mine drainage	7/7/72	Hearings are in progress now and requesting a dismissal motion. Case filed 7/21/72.
Nashville Bridge Co., Bessemer, Alabama	Tributary to Village Creek	Iron wastes	6/2/71	Case filed 6/22/71 EPA proposed "Stipulation for Dismissal" sent to company on 12/13/72. No response from company as yet.
National Farmers Org. Omaha, Nebraska	Missouri River			
National Molasses Omaha, Nebraska	Missouri River		8/17/71	Not filed.
National Sugar Philadelphia, Pennsylvania	Delaware River	Excessive BOD loadings	8/3/72	Case filed 8/10/72.
National Steel Weirton, West Virginia	Ohio River	Cyanide	9/30	Pending.
Nekoosa-Edwards Paper Co., 1. Nekoosa Division 2. Port Edwards Division 3. Whiting-Plover Div.	Wisconsin River	Discharge of pulp & paper mill wastes	4/21/71 9/29/72	Cased Filed. Consent Decree being negotiated. EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.
Nick George Brattleboro, Vermont	West River	Building materials	6/18/71	Filed 6/18/71. Court order to remove.
Olin Corporation Augusta, Georgia	Savannah River	Mercury	7/70	Stipulation 10/12/70 setting out schedule for future reductions of mercury. Monitoring continues to date.
Osawatomie City Dump Kansas City, Kansas	Marais Des Cygnes River	Trash washed into River	2/28/72	City closed dump 6/1/72. New landfill opened.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Owen Fulford Harkers Island, North Carolina	Core Sound	Dredge & fill refuse	8/7/72	Case filed 8/25/72. Defendant restrained - pending.
Ozark-Mahoning Co., Mine & Milling Cowdrey, Colorado	Pinkham Creek, tributary of the North Platte River	Intermittent discharges with high solids concentrations	8/72	Cased filed 9/6/72. Consent decree being negotiated by the U.S. Attorney.
Paauhau Sugar Co., (owned by C. Brewer Co.) Island of Hawaii	Pacific Ocean	Cane trash, bagasse, and sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Pan-Pacific Fisheries, Inc., Los Angeles, California	Outer Los Angeles Harbor	Fish processing wastes, which lower oxygen in water & have resulted in fish kills	6/9/72	U. S. Attorney declined to prosecute.
Peabody Coal Company Evansville, Indiana	North Coal Creek to Wabash River	Discharge of coal fines and yellow boy	10/12/72	Civil suit filed 10/18/72. Pending.
Pennwalt Corporation Calver City, Kentucky	Lower Tennessee River	Mercury	7/27/70	Stipulation 10/23/70. Defendant agrees to minimize mercury in discharge. Monitoring continues to date.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Pepeekeo Sugar Co., North Plant (owned by Hilo Coast Processing Co.) Island of Hawaii	Pacific Ocean	Cane trash, bagasse, & sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Pepeekeo Sugar Co., South Plant (owned by Hilo Coast Processing Co.) Island of Hawaii	Pacific Ocean	Cane trash, bagasse, & sediment	9/3/71	Filed 10/17/72. Consent decree being sought.
Phelps-Dodge Maspeth, New York	Newton Creek	Cu, Zn, acidic	12/22/71	Pending.
Phillips Boatyard & Lawrence Owens Wanchese, N. C.	Croatan Sound	Dredge & fill refuse	8/7/72	Case filed 8/25/72. Defendant restrained-pending.
Polychlorinated Biphenyls (PCB's)	L.A. Co., Sanitary sewer system, tributary Santa Monica Bay	PCB's	3/6/72	EPA recommended "approp. action" 3/6/72. Special grand jury invest. begun 5/3/72; Monsanto Chemical Co. subpoenaed to reveal sales data it refused to release on buyers in L.A. area (believed to be dischargers). Grand Jury disbanded w/o returning indictments.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Powell & Minnock Brick Works (Subsidiary of General Dynamics) Coeymans, New York	Hudson River	Oil	2/4/72	Information filed 2/25/72. Fined $500 on 3/20/72.
Reserve Mining Silver Bay, Minnesota	Lake Superior	Solids	1/20/72	
Rohm & Haas Houston, Texas	Houston Ship Channel	BOD, COD, ammonia, cyanide, nickel	5/4/71	Civil suit filed 7/19/71. Trial held 11/13/72—awaiting judgement. Filed by U. S. Attorney.
Schenectady Chemicals, Inc., Schenectady, New York	Mohawk River	Oil	12/11/72	Case not yet filed.
Seneca Foods Westfield, New York	Lake Erie	Solids BOD, color	5/6/71	Case filed on 8/9/71. Sold to Welch Foods.
Sobin Chlor Alkali, Inc. Orrington, Maine	Penobscot River	Mercury	8/5/70	8/5/70 Complaint filed. 5/11/72 Consent decree requiring immediate limitation of mercury and salts discharged and monitoring.
Southwest City, Missouri	Cave Springs Branch	Poultry waste interstate stream	6/12/72	Pending.
St. Regis Paper Co., Atlanta, Georgia	Peachtree Creek	Paper wastes	6/1/72	Case filed 6/9/72. Consent decree 7/27/72.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
St. Regis Paper Co., Rhinelander, Wisconsin	Wisconsin River	Discharge of pulp and paper wastes	10/4/72	EPA referred case for civil suit but suit not filed prior to passage of FWPCA Amendments of 1972.
Star-Kist Foods, Inc. (Subsid. of H.J. Heinz Co.), Plants #1 & #4 Los Angeles, California	Outer Los Angeles Harbor	Fish processing wastes, which lower oxygen in water & have resulted in fish kills	6/9/72	U.S. Attorney declined to prosecute. ACL.
Sullivan's Island South Carolina	Intracoastal Waterway	Trash, solid waste	6/14/72	Under review by U. S. Attorney. EPA Enforcement to meet with U. S. Atty. 1/73.
Toms River Chemical Corp. Toms River, New Jersey	Atlantic Ocean	Industrial wastes	7/13/72	Case filed 7/13/72,
U. S. Pipe & Foundry Birmingham, Alabama	Five-Mile Creek	Steel waste	6/2/71	Case filed 6/16/71. The last version of EPA's consent decree was sent to company on 12/14/72. Company has indicated to U. S. Attorney they will sign.
U. S. Steel Fairfield, Alabama	Opossum Creek	Steel waste	6/2/71	Case filed 6/14/71. Consent decree was signed and filed in Clerk's Office on 10/19/72.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
U. S. Steel Corporation Waukegan Works Waukegan, Illinois	Lake Michigan	Discharge of heavy metals, iron, SS and phenol	10/3/72	Civil suit filed 10/6/72.
Universal Container Marcus Hook, Pennsylvania	Stoney Creek	Oil and grease	2/1	Pending.
Van Camp Seafoods Co., (Div. of Ralston Purina Co.) Los Angeles, California	Outer Los Angeles Harbor	Fish processing wastes, which lower oxygen in water & have resulted in fish kills	6/9/72	U. S. Attorney declined to prosecute ACL.
Welch Foods, Westfield, New York	Chatauqua Creek	Bad color solids	5/6/71	Case filed 8/9/71. Consent Ord. 11/9/71.
Weyerhaeuser Co., Longview, Washington	Columbia River	Discharging without permit. Chlor-alkali plant discharging mercury to water environment causing mercury deposits and floating mercury solids, potential for serious human health problem.	7/29/70	Complaint filed 7/29/70 charging violation of Refuse Act. Stipulation entered 10/15/70 requiring defendant to reduce mercury discharges to below 8 oz. per day per chlor-alkali facility. Company complied. Region awaiting guideline to govern further reduction of discharges.

Name and Location of Company	Receiving Water	Pollution Problem	Date Referred	Results or Status
Wheeling-Pittsburgh Steel Corp. Steubenville, Ohio	Ohio River	Oil, cyanide	4/21/71	Case filed on 5/17/71 and pending.
Wheeling-Pittsburgh Steel Corp. Follansbee, West Virginia	Ohio River	Phenols	5/7/71	Case filed 5/17/71. Pending.
Wheeling-Pittsburgh Steel Corp. Monessen, Pennsylvania	Monongahela River	Phenols, cyanides, SS.	5/7/71	Case filed 5/17/71. Pending.
Whittaker Corp. & City of Memphis Memphis, Tennessee	Mississippi River	Textile wastes	7/6/72	EPA and U. S. Attorney have had five meetings with company and city. Consent decree in final negotiation stages. Answer due from company Case filed 8/18/72.
Yankton, City of South Dakota	Missouri River	Dumping municipal solid waste		U. S. Attorney reviewing case.

REFUSE ACT CRIMINAL ACTIONS REFERRED TO JUSTICE

Table 2

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
A & M General Corp. South Bend, Indiana	Bowman Creek to St. Joseph River	Oil spill	8/14/72	U.S. Attorney declined prosecution 11/1/72.
Alaska Lumber & Pulp Sitka, Alaska	Silver Bay	Fish kill	5/17/71	Not filed.
Allied Chemical Corp. Denver, Colorado	South Platte River	Sulfuric acid spill	4/13/72	Company pleaded nolo contendere; was convicted and fined $1,500 on 8/11/72.
Allied Chemical Corp. Richmond, California	Castro Creek, trib. to San Francisco Bay	Sulfuric acid wastes	4/13/72	Poorly operating "neutralization system;" abatement commitment ltr 7/27/72; new equip. installed; EPA & U.S. Attorney decided to forego prosecution 8/21/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Allied Chemical Co. Semet-Solvay Division Detroit, Michigan	Rouge River	Tar spill	3/10/72	U.S. Attorney declined prosecution 4/5/72.
Alton Box Board Company Lafayette, Indiana	Wabash River	Fish kill	10/16/72	Under review in U.S. Attorney's office.
Amalgamated Sugar Co. Twin Falls, Idaho	Rock Creek--tributary of Snake River	No waste discharge permit. Impoundment dike ruptured allowing 60 acre/ft. of refuse to enter small stream connecting with navigable water.	4/20/72	Alleged accidental spill in Nov. 1971. Referred to U.S. Attorney, Boise. Based on subsequent field survey by EPA, Denver, Colo. and company's corrective action; prosecution declined.
American Oil Co. Whiting, Indiana	Lake Michigan	Oil spill	10/15/71	U.S. Attorney declined prosecution 1/20/72.
American Petrofina Co. Natchez, Mississippi	Mississippi River	Oil and salt water	6/6/72	Under review by U.S. Attorney.
American Shipbuilding Company Lorain, Ohio	Black River	Blasting sand	12/15/71	Case filed 3/9/72; fined $500 3/23/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
American Smelting and Refining Baltimore, Maryland	Baltimore Harbor	Arsenic, copper, iron, zinc	4/27/72	58-count indictment on July 11 and consent decree in State of Maryland.
American Sugar Refining Co. Baltimore, Maryland	Baltimore Harbor	Sugar	4/27/72	
Amstar Baltimore, Maryland	Baltimore Harbor	Sugar liquors	4/27/72	Dropped by U.S. Attorney.
Allied Chemical Baltimore, Maryland	Baltimore Harbor	Chromium	4/27/72	50-count indictment on July 12, 1972.
Ashland Oil, Inc. Evansville, Indiana	Ohio River	Oil spill	10/25/72	Case filed 10/17/72. (On basis of telephone information received before receipt of letter.)
Atchison County Cooperative Rockport, Missouri	Rock Creek to Missouri River	Ammonia spill	9/14/71	Declined 1/28/72. Navigability problem.
Atlantic Wire Co. Branford, Connecticut	Branford River	Sulfuric acid spill	10/27/72	Information filed with U.S. Attorney 1/11/72. Pleaded not guilty 11/27/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Automotive Disposal Corporation Jacksonville, Florida	Trout River	Shredded metal	8/25/72	Case filed 9/11/72. Awaiting trial.
J. Burton Ayres, Freighter	Lake St. Clair	Garbage spill	2/23/72	Under review by U.S. Attorney's office,
B & O Railroad Pittsburgh, Pennsylvania	Monongahela River	Oil spill	9/29/72	Case filed.
B & O Railroad Willard, Ohio	Jacobs Creek to Huron River	Oil spill	5/5/71	Case filed 7/30/71. Pleaded *nolo contendere* and fined $1,000 9/3/71.
Barrows Coal Co., Inc. and Henry Merrill Brattleboro, Vermont	Connecticut River	Oil spill	1/12/72	Refuse Act charges dismissed but pleaded guilty to sec. 11 *failure to notify*.
Basic Construction Materials Circleville, Ohio	Scioto River	Truck flushing of concrete	6/28/72	Pleaded not guilty 7/21/72. Judge ruled Scioto not navigable and dismissed case 10/12/72.
J. E. Bauer Co. Patoka, Indiana	Patoka River	Oil spill	12/6/71	Case filed 1/5/72. Fined $500 4/28/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Bay Cities Excavation Co. Montara, California	Pacific Ocean	Rock and sediment	7/29/72	U.S. Attorney declined to prosecute.
Bayonne Industries Bayonne, New Jersey	Kill van Kull	Oil spill	12/8/71	Case not yet filed.
Bona Allen, Inc. Buford, Georgia	Black Branch--tributary of Suwanee Creek	Tannery waste	6/21/71	Case filed 9/2/71. Motion granted to delay hearing pending outcome of appeal of another case relating to navigability of this stretch of the river on 6/7/72.
Buckeye Pipeline Co. Rochester, Indiana	Tippecanoe River	Oil spill	3/29/72	Case filed 5/16/72. Pleaded guilty and fined $1,500 9/1/72.
Buckeye Pipeline Co. Rochester, Indiana	Tippecanoe River	Oil spill	6/1/72	Case filed 6/19/72. Fined $1,500 9/1/72.
Bulk Terminals Co. Chicago, Illinois	Lake Calumet	Dark liquid	9/1/71	U.S. Attorney declined prosecution 4/72.
Burks & Co., Inc. Denver, Colorado	South Platte River	Oil discharge to river	10/16/72	Defendant pleaded nolo contendere; was convicted and fined $2,500 on 11/17/72; $2,250 suspended.
F. R. Buss & Co. Caroline, Wisconsin	Embarras River	Dairy wastes	5/31/72	Indictment 6/72. Fined $1,500 9/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Butler Aviation Miami, Florida	Airport Canal to Tamiami Canal	Oil spill	5/19/72	U.S. Attorney declined to prosecute.
Carolina Mills Newton, North Carolina		Oil spill	3/15/72	
Century Road Oiling Co., Flat Rock, Michigan	Thru city sewer to Huron River	Oil spill	6/9/72	Under review by U.S. Attorney's office.
Champlin Oil Refinery Enid, Oklahoma	Skeleton Creek	Fish kill	5/5/71	
Chem-Haulers, Inc. Sheffield, Alabama	Pickwick Reservoir	Chemical wastes	3/29/72	Under review by U.S. Attorney.
Chemical Applications, Inc., Beverly, Massachusetts	Atlantic Ocean	Oil spill-- #2 & #5 fuel oil	11/72	Information filed with U.S. Attorney 12/8/72.
Chicago & Eastern Illinois Railroad Dolton, Illinois	Little Calumet River	Oil spill	6/27/72	Case filed 6/28/72. Pleaded guilty and fined $3,000 10/30/72.
Chicago & North Western Railway Co. Minneapolis, Minnesota	Bassetts Creek to Mississippi River	Fuel oil	6/28/72	Under review by U.S. Attorney.
Chicago, Rock Island & Pacific Railroad Kansas City, Kansas	Kansas River	Oil spill-- 33 U.S.C. sec. 407 & sec. 11	11/9/71	Information filed 4/12/72. Case prepared for trial 1/73.
Cities Service Ft. Meade, Florida	Peace River	Phosphate wastes	2/9/72	Case filed 5/5/72. Continued, pending completion of several State civil action.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
City-Wide Asphalt, Inc. Independence, Missouri	Mill Creek Missouri River	Oil spill-- 33 U.S.C. sec. 407 & sec. 1161(b)(4)	4/17/72	Indicted by Grand Jury on 5/10/72. Pleaded guilty 6/1/72. Fined $500 9/7/72--Probation.
Collier Development Corp. Naples, Florida	Tributary to Cocohatchee River	Garbage spill	7/26/72	Under review by U.S. Attorney.
Colonial Pipeline Beaumont, Texas	Neches River	Oil spill	12/71	No action to date.
Colt Industries Pittsburgh, Pennsylvania	Allegheny River	Oil spill	9/27/72	Filed.
Crown Central Petrol Co. Houston, Texas		Oil	2/29/72	Under review.
Crystal Tissue Co. Middletown, Ohio	Great Miami River	Red paper dye	4/20/71	Case filed 8/3/71. Pleaded nolo contendere and fined in 1971.
Darling & Company Cleveland, Ohio	Cuyahoga River	Tallow spill	4/12/72	Case filed 5/8/72. U.S. Attorney dropped suit 5/1/72 as Coast Guard fined company $500.
Dehaven Soil Service Walton, Illinois	Wabash River	Spill and fish kill	9/21/72	Under review by U.S. Attorney.
Del Oil and Gas Corp. Natchez, Mississippi	Mississippi River	Salt water	6/6/72	Under review by U.S. Attorney.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Diamond Shamrock Chemical Co. Painesville, Ohio	Grand River	Oil spill	12/7/71	U.S. Attorney declined prosecution 5/72.
Donovan Construction Co. St. Cloud, Minnesota	Lake Superior	Air emission resulting in water pollution	1/11/72	U.S. Attorney declined prosecution 4/11/72.
Duval Sulphur Galveston, Texas	Galveston Harbor	Sulphur spill	1/2/72	No action to date.
Eastern Airlines Miami, Florida	Drainage canal to Miami River	Oil and metals	3/29/72	U.S. Attorney declined to prosecute.
Borough of Edgewater Edgewater, New Jersey	Hudson River	Refuse and scrap material	11/24/71	Prosecution declined.
Harold Epps d/b/a Hero-Hilso Enterprises Branson, Missouri	Fall Creek Lake Taneycomo White River	Oil spill	12/15/72	Pending.
Farmland Foods, Inc. Garden City, Kansas	Arkansas River	Fish kill	6/14/72	Declined 11/16/72. Navigability problem.
Farm Stores, Inc. Miami, Florida	58th Street Canal	BOD & solids	5/19/72	U.S. Attorney declined to prosecute.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
FMC Baltimore, Maryland	Baltimore Harbor	BOD, oil, grease and phenol	2/1/72	9-count indictment.
General American Transportation Corp. Carteret, New Jersey	Arthur Kill	Oil and mineral spirits	8/3/72	Information filed 10/27/72.
Georgia Power Co. Rome, Georgia	Coosa River	Oil spill	8/26/71	Case filed 9/2/71. Fined $1500 on *nolo contendere* plea to Refuse Act violation § 11(b)(4) 6/2/72. Action dismissed.
Getty Pipe Company Hazleton, Pennsylvania	Dockwater Creek Raritan River	Oil spill	12/8/71	Case not yet filed.
B.F. Goodrich Co. Woodburn, Indiana	Maumee River	Chemical spill	10/16/72	Case filed 10/17/72. Pleaded guilty and fined $535 11/6/72.
George W. Greek Oil Company Jacksonville, Florida	McGirts Creek	Oil spill	4/16/71	U.S. Attorney declined prosecution.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Dr. William W. Green USDA Employee Elko, Nevada	South Fork of Humboldt River	Toxaphene discharge resulting in fish kill	6/24/71	U.S. Attorney declined to prosecute.
Gulf Oil Corp. Houston, Texas	Houston Ship Channel	Oil spill	1st 11/22/71 2nd 12/28/71	No action to date.
Halquist Stone Company Sussex, Wisconsin	Sussex Creek	Dissolved solids, suspended solids, phenols	5/31/72	Indictment 6/72.
Hamilton Oil Corp. Evansville, Indiana	Sanders Creek	Oil spill	10/8/71	Arraigned 12/17/71. Pleaded nolo contendere and fined $500 2/8/72.
Heck Fertilizer Company Mound City, Missouri	Davis Creek to Missouri River	Ammonia spill	9/14/71	Declined 1/28/72. Navigability problem.
Henningsen Foods, Inc. Malvern, Iowa	Silver Creek	Food wastes	5/16/72	Fined $1,000.
Humble Oil & Refining Co. (Vessel Esso Philadelphia) Bayonne, New Jersey	Kill van Kull	Oil spill	12/4/72	Case not yet filed.
Hutchinson Utilities Company Hutchinson, Minnesota	South Fork, Crow Creek	Oil spill	4/12/72	Pleaded nolo contendere and fined $1,000 7/14/72.
Illinois Central Railroad Star, Mississippi		Oil spill	4/20/71	

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Infinger Transportation Co. Charleston Heights, S. C.		Oil spill	6/29/72	
Inland Corporation Cleveland, Ohio	Chippewa Creek and Vermillion River	Double oil spill	4/10/72	Case filed 5/16/72. First count dismissed; *nolo contendere* pleaded on second count, fined $1,000 8/8/72.
Inland Oil & Transport Company St. Louis, Missouri	Mississippi River (Spill near St. Paul, Minnesota)	2 Oil spills	1/10/72	Pleaded guilty to indictment and fined $500 5/5/72.
Inland Tugs Company Jeffersonville, Indiana	Ohio River	Garbage dumping	9/1/71	U.S. Attorney dismissed information but collected $500 penalty by threatening *in rem* proceedings 11/8/71.
Interlake, Inc. Toledo, Ohio	Maumee River	Industrial waste discharge	10/16/72	Case filed. Under review by U.S. Attorney's office.
International Industries Sayreville, New Jersey	Raritan River	Oil spill	2/4/72	Case filed.
Iowa Beef Processors Dakota City, Nebraska	Missouri River	BOD, coliforms, solids, and ammonia	3/3/72	Indicted 5/9/72; *nolo contendere* plea 9/7/72; $500 fine. Consent Decree 9/18/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Iron-Oxide Corp. Elizabeth, New Jersey	Arthur Kill	Lime filter Cake soap sludge	10/21/71	Case filed 6/8/72. Pleaded guilty to one count 6/13/72.
Jefferson Beach Marina Company Oswego, New York	Lake Ontario	Oil spill	9/24/71	Prosecution declined 5/17/72.
Jones and Laughlin Steel Corp. Cleveland, Ohio	Cuyahoga River	Oil spill	12/17/70	Case filed 12/70. Fined on 5 counts at $1,000 apiece 2/12/71.
K & W Oil Corp. Casper, Wyoming	North Platte River	Oil discharge to river	7/7/72	Defendant pleaded nolo contendere and was fined $500.
Kaiser Aluminum & Chemical Corporation West Virginia	Ohio River	Oil spill	9/29/72	Case filed.
Kaiser Refractories Mexico, Missouri	South Fork of Salt River	Oil spill 33 U.S.C. Sec. 407, Sec. 1161 (b)(4)--fish kill	6/12/72	Pending--probable cost recovery action only.
J. C. Keeter Realty Co., Atlantic Beach North Carolina	Bogue Sound	Dredge and fill refuse	8/7/72	Under review by U.S. Attorney.
Kennebec River Pulp & Paper Co., Inc. Madison, Maine	Kennebec River	300-gallon spill Bunker C fuel oil 3/10/72	5/18/72	Pleaded guilty 9/29/72. Fined $500 10/13/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Kerr-McGee Cushing, Oklahoma	Cimarron River	Oil spill	2/17/72	Phase I complete. U.S. Attorney investigating civil action for Phase II (Skull Creek).
Leader Cheese Co. Reeseville, Wisconsin	Lau Creek	Wash waters	5/26/72	Indictment 6/72.
Lihue Plantation Co., Ltd. and Hawaii Board of Harbor Commissioners Island of Kauai	Nawiliwili Harbor	Molasses spill	11/15/71	Filed 11/26/71. Stipulations of fact submitted 9/15/72. Decision pending.
Louisville and Nashville Railroad Evansville, Indiana	Ohio River	Oil spill	5/30/72	Pleaded *nolo contendere* and fined $1,000 11/2/72.
Maplewood Poultry Belfast, Maine	Penobscot Bay	Blood, fat, and feathers	-	Indicted 11/24/70; *nolo* contendere; fined total of $10,500 on 4 counts.
Marathon Pipeline Co. Birds, Illinois	Embarass River to Wabash River	Oil spill	12/6/71	Case filed 7/28/72. Pleaded guilty and fined $750 11/13/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Mead Corporation Chillicothe, Ohio	City System	Industrial waste discharge	3/6/72	Indicted by Grand Jury 7/10/72.
Metropolitan Petroleum Co., Plattsburgh, New York	Lake Champlain	Oil spill	4/28/72	Information filed 7/71. Fined $500 and reimbursed government $1,300.
Midcontinent Pipeline Cushing, Oklahoma	Cimarron River	Oil spill	2/17/72	Phase I complete. U.S. Attorney investigating civil action for Phase II (Skull Creek).
Midland Co-op Refining Company Cushing, Oklahoma	Cimarron River	Oil spill	2/17/72	Phase I complete. U.S. Attorney investigating civil action for Phase II (Skull Creek).
Millmaster Onyx (A. Gross Company) Newark, New Jersey	Newark Bay	Suspended solids, oil, and grease	12/6/71	Case filed 1/7/72. 30-count indictment.
Minnesota Mining and Manufacturing Co. St. Paul, Minnesota	3 Mile Creek to Mississippi River	Phenolic resin spill	6/2/72	Indicted by Grand Jury 6/27/72. Pleaded guilty and fined $500 10/2/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
M-K-T Railroad Cushing, Oklahoma	Cimarron River	Oil spill	2/17/72	Phase I complete. U.S. Attorney investigating civil action for Phase II (Skull Creek).
Mobil Oil Corp. Yazoo County Mississippi	Yazoo River	Oil spill	10/8/71	U.S. Attorney declined prosecution.
Monroe Auto Corad, Nebraska	Platte River	Oil spill	11/9/71	Declined 4/3/72. Abatement schedule negotiated.
Montrose Chemical Co., Santa Monica California	L.A. County Sanitary Sewer Syst., trib. to Santa Monica Bay	Particulate DDT	10/1/71	Dept. of Justice declined to prosecute.
National Transit Co. Oil City, Pennsylvania	Allegheny River	Oil spill	8/15/72	
New Departures Co. Sandusky, Ohio	Mills Creek to Sandusky Bay	Oil spill	9/28/71	U.S. Attorney declined prosecution 12/8/71.
New England Power Co. Somerset, Massachusetts	Mt. Hope Bay	Fish kill; chlorine discharge	5/21/71	Indicated 8/6/71. Trial 10/10/72; found not guilty Company has stopped using chlorine to clean boiler tube.
North Shore Petroleum Company Salem, Massachusetts	Atlantic Ocean	Oil spill #2 & #5 fuel oil	11/72	Information filed with U.S. Attorney 12/8/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Norton Company Watervliet, New York	Hudson River	Oil spill	5/1/72	Information filed with U.S. Attorney 6/26/72.
Overland Investment Rogers County Oklahoma	Oolaga Reservoir	Oil & brine	-	Original referral by Corps of Engrs. U.S. Attorney awaiting an order from Okla. Corps Commission.
Ozark-Mahoning Company Mine and Milling Cowdrey, Colorado	North Platte River	High solids concentration discharge	2/18/72 5/10/72	Dismissed--see civil suit.
Palatine Dyeing Co. St. Johnsville, New York	Mohawk River	Oil spill	10/12/71	Information filed 5/22/72. Pleaded guilty 7/28/72; fined $500.
PBI, Gordon Co. Kansas City, Kansas	Kansas River	Chemical wastes	5/4/72	
Peabody Coal Co. Columbia, Missouri	Hinksin Creek to Mississippi River	Coal mine acid wastes	9/14/71	Prosecution declined 1/28/72. Navigability problem.
Pejepscot Paper Co. Brunswick, Maine	Androscoggin River	Oil spill	6/23/72	Pending action by U.S. Attorney.
Pennsoil Producing Co. Yazoo County, Mississippi	Yazoo River	Oil spill	10/8/71	U.S. Attorney declined prosecution.
Petroleum Specialties, Inc., Flat Rock Michigan	Smith Creek to Huron River	Oil spill	6/9/72	Under review by U.S. Attorney's office.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Phillips Petroleum Co. Sedalia, Missouri	Flat Creek to Missouri River	Gasoline spill	9/14/71	Prosecution declined 1/28/72. Navigability problem.
Phillips Petroleum Refinery Kansas City, Kansas	Missouri River	Oil spill	7/20/72	Indictment returned 11/8/72. Navigability problem.
Plantation Pipeline Co. Atlanta, Georgia	Oconee River	Oil spill	4/20/71	U.S. Attorney declined prosecution 12/2/71.
Plymouth Agricultural Supplies, Morehead City, North Carolina	Bogue Sound	Fertilizer	12/21/71	U.S. Attorney declined prosecution.
Powell and Minnock Brick Works (Subsidiary of General Dynamics) Coeymans, New York	Hudson River	Oil spill	2/4/72	Information filed with U.S. Attorney 2/25/72. Fined $500 on 3/20/72.
Republic Steel Corp. Cleveland, Ohio	Cuyahoga River	Industrial wastes	5/5/72	Case filed 5/8/72. Pleaded nolo contendere and fined $1,000 5/17/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Republic Steel Corp. Cleveland, Ohio	Cuyahoga River	Industrial wastes	9/29/72	Case filed 10/6/72.
Republic Steel Corp. Coke Plant Youngstown, Ohio	Mahoning River	Coal tar spill	9/28/72	Case filed 10/6/72.
R.H.S. Corp. Ellsworth, Maine	Union River	Oil spill	-	Action by U.S. Attorney pending.
Rock Island Railroad Kansas City, Kansas	Kansas River	Oil spill	11/9/71	Trial postponed.
Rodgers Oil Company Savanna, Illinois	Mississippi River	Oil spill	12/15/71	Case filed 2/1/72. Matter dropped in exchange for guilty plea in 11(b)(4) case 4/72.
Royal Manor House-wares Co., Los Angeles Californic	Ballona Creek, trib. to Santa Monica Bay	Cyanide spill	6/24/71	Filed 12/8/71. Vice-Pres. of firm found not guilty; firm found guilty and fined $2,000 on 3/6/72.
Sandacres, Inc. Woodacres Farm Seymour, Indiana	Muscatatuck River	Oil spill & fish kill	3/10/72	Case filed 5/1/72. Pleaded not guilty 5/19/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Schenectady Chemicals, Inc., Schenectady New York	Mohawk River	Oil spill	12/11/72	Case not filed as yet.
S.C.M. Corporation Baltimore, Maryland	Baltimore Harbor	Cadmium	4/27/72	U.S. Attorney advised no action at this time.
S.C.M. Corporation Glidden-Durkee Div. Jacksonville, Florida	Moncrief Creek	Industrial wastes	10/15/71	U.S. Attorney declined prosecution.
Scofield Marine Construction Co. Naples, Florida	Gulf of Mexico	Muck & sludge	7/26/72	Case filed 8/14/72. Fined $500 on 9/14/72.
Shell Chemical Co. Ventura, California	Ventura River	Ammonia discharge	10/1/71	Filed 12/8/71. Pleaded "no contest" to 2 charges and was fined $5,000 on 1/24/72.
Skil Corporation Chicago, Illinois	North Branch of Chicago River	Oil spill	5/25/72	Case filed 6/28/72.
Sohio Pipeline Co., Inc. Carmi, Illinois	French Creek to Wabash River	Oil spill	8/14/72	Under review by U.S. Attorney's office.
Speedway Wrecking Co. Chicago, Illinois	Montrose Harbor	Dumped rubble	7/21/71	U.S. Attorney declined prosecution 12/17/71.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Spentonbush Fuel Transport Service, Inc. New York, New York	Long Island Sound	80,000 gals. fuel oil spill by tanker off New London, Connecticut	4/10/72	Information filed with U.S. Attorney 4/18/72. Pleaded nolo contendere 5/22/72--fined $2,500.
Stinson Hallow Boat Yard Muscle Shoals, Alabama	Wilson Lake	Oil spill	6/23/71	U.S. Coast Guard and U.S. Attorney declined prosecution.
Tabor Company LaSalle, Illinois	Illinois River	Dumping corn hulls	9/1/71	U.S. Attorney declined prosecution 2/3/72.
Tex-Gas Co. Hayti, Missouri	Unnamed Creek to Mississippi River	Oil spill 33 U.S.C. 407	1/25/72	Declined prosecution 1/25/72. Navigability problem.
Texaco Oil Co. St. Louis, Missouri	Mississippi River	Fuel oil spill	1/31/72	Declined prosecution 11/10/72. Insufficient evidence.
Tinkey Farms, Inc. Harrison Twp Fulton County, Indiana	Tippecanoe River	Fish kill	10/8/71	Case filed 2/7/72. Pleaded nolo contendere and fined $1,000 5/25/72.
Toms River Chemical Corp., Toms River New Jersey	Atlantic Ocean	Mercury, heavy metals, BOD & COD	7/72	205-count indictment obtained 7/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Tri-W Towing Co. Greenville, Mississippi (Near Hastings, Minnesota)	Mississippi River	Industrial wastes	10/4/72	Under review in U.S. Attorney's office.
Theodore Uland d/b/a Cherokee Drilling Co. Princeton, Indiana	Yellow River to Wabash River	Oil-well brine drainage	1/11/72	Case filed 3/2/72. Pleaded *nolo contendere* and fined $500 4/28/72.
Twin City Fuel, Inc. Barre, Vermont	Winooski River	Oil Spill	5/17/72	Pending.
Union Pacific Railroad Pocatello, Idaho	Portneuf River	Oil discharged into navigable water. Caused by alleged pump malfunction at company's treatment plant.	5/15/72	Pending in U.S. Attorney's office.
Union Oil Co. of Calif. Nabscott, West Virginia	New River	Gasoline spill	9/27/72	Filed.
Uniroyal, Inc. Chicopee, Massachusetts	Chicopee River	Oil spill	9/24/72	Action pending in U.S. Attorney's office.
Universal Container Corp. Marcus Hook, Pennsylvania			2/1/72	
Upper Missouri River Corp., Salix, Iowa	Mississippi River	Oil spill (near Red Wing, Minnesota)	1/10/72	U.S. Attorney declined prosecution 2/28/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results of Status
U.S. Agri-Chemical Co. Nashville, Tennessee	Cumberland River	Acid	5/5/72	Case filed 6/29/72. Fined $500 on nolo contendere plea--$250 suspended.
U.S. Plywood-Champion Paper Co., Inc. Hamilton, Ohio	Great Miami River	Fish kill	12/17/70	Case filed 12/70. Fined $7,500 5/3/71.
U.S. Steel Corp. Chicago, Illinois	Grand Calumet River	Oil spill	2/24/72	U.S. Attorney closed file 9/7/72.
U.S. Steel Corp. Gary Works Gary, Indiana	Grand Calumet River	Oil spill	12/21/71	Case filed 2/4/72. U.S. Attorney voluntarily dismissed suit due to local prosecution for same spill 8/28/72.
Valentine Fisheries, Inc. Suamico, Wisconsin	Big Suamico River		5/16/72	
Valley Oil Co. Huntington, Massachusetts	Westfield River	#2 fuel oil	5/9/72	Information filed with U.S. Attorney 6/15/72.
Villa d'Oro Olive Co. Thermalito, California	Tributary to Feather River	Runoff from olive pit pile	3/14/72	Flow redirected by diking to not cause public nuisance or environmental damage. EPA requested case be terminated 8/16/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results of Status
Warren Brothers Co. Nashville, Tennessee	Cumberland River	Salts & silt	5/5/72	Obtained commitment 7/5/72. Case dismissed 7/17/72.
Waumbec Mills, Inc. Manchester, New Hampshire	Merrimack River	Oil spill	9/24/72	Information filed with U.S. Attorney 10/30/72. Pleaded not guilty 11/10/72.
Western Electric Co. Omaha, Nebraska	Missouri River	Oil spill 33 U.S.C. sec. 407 & sec. 11	12/7/71	Grand Jury indicted 1/27/72. Nolo-fined $500 2/23/72. Stream cleanup accomplished.
Wheeling Pittsburgh Steel Company Martins Ferry, Ohio	Ohio River	2-count industral waste discharge	10/4/72	Case filed 10/17/72.
Wheeling Pittsburgh Steel Company Yorkville, Ohio	Ohio River	Industrial waste discharge	10/4/72	Case filed 10/17/72.
Wyandotte Industries Corp. Waterville, Maine	Kennebec River	Oil spill	9/20/72	Action pending in U.S. Attorney's office.
Youngstown Sheet and Tube Co. East Chicago, Indiana	Indiana Harbor Canal	Suspended solids discharge	4/12/72	U.S. Attorney brought matter to Judge's attention while a previous criminal matter was before the court. Fine of $1,000 reflected this matter also.

REFUSE ACT CASES REFERRED TO JUSTICE
NON-FILING OF APPLICATION FOR PERMIT UNDER SECTION 13 OF 1899 ACT

Table 3

Name & Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
All-Brite Galvanizing Co., Inc. Kansas City, Missouri	Big Blue	Acid wastes	8/28/72	Discharge ceased 11/1/72. Case declined.
Amesbury Metal Products Company, Inc., Amesbury, Massachusetts	Merrimack River	Chrome plating waste water	11/30/71	Application for permit filed 12/13/72. Installed chrome removal equipment.
Atlantic Sulfur Terminal, Inc., Carteret, New Jersey	Arthur Kill	Suspended solids	9/24/71	Available evidence considered inadequate for prosecution by U.S. Attorney for New Jersey as further investigation by EPA showed negligible discharge. U.S. Attorney's refusal to prosecute concurred in by EPA in letter of 2/14/72.
Armstrong Chemical Company, Janesville, Wisconsin	Municipal Storm Sewer	Failure to file	9/24/71	U.S. Attorney declined prosecution 5/31/72 and case closed.
Bancroft Dairy Marquette, Michigan	Dead River to Lake Superior	Failure to file	9/24/71	U.S. Attorney declined prosecution 11/9/71 and case closed.
Basset Walker Knitting Basset, Virginia			9/24/71	Prosecution declined.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Benton Harbor Malleable Industries Benton Harbor, Michigan	Ox Creek to St. Joseph River	Failure to file	9/24/71	U.S. Attorney declined prosecution 1/12/72 and case closed.
Bevin Bros. Manufacturing Company East Hampton, Connecticut	Pocotopaug Creek to Salmon River	Treated effluent meets WQS	11/24/71	12/2/71 received application for permit to discharge.
F. R. Buss and Company, Caroline, Wisconsin	Embarras River	Failure to file	5/31/72	Indicted by Grand Jury 6/14/72. Pleaded guilty and fined $500 8/7/72.
Cambridge Tool & Mfg. North Billerica Massachusetts	Concord River	Cooling water from compressor & diecasting equip.	12/2/71	Application for permit filed 12/7/71.
Carnation Mills Mt. Vernon, Missouri			2/4/72	Prosecution declined.
E.M. Carter Packing Company Richland, North Carolina	New River	Slaughterhouse waste	5/5/72	Permit applied for with conditions satisfactory with U.S. Attorney office. Case closed.
Central States Paper & Bag Co. Palatka, Florida			12/71	Pending in court.
Central Transport Company Charlotte, North Carolina	Long Creek to Catawba River	Chemical wastes	5/24/72	Case filed 6/15/72. November 7, 1972 - nolo contendere $2,500 fine suspended with probation. Case closed.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
C.F. Industries Hannibal, Missouri	South River to Mississippi River	Ammonia	2/9/72	Declined 10/12/72. Complete application filed.
Champale, Inc. Trenton, New Jersey	Delaware River	BOD, solids	9/24/71	All discharge ceased; EPA withdrew recommendation of prosecution by letter of 12/31/71; file closed by USA for NJ 6/14/72.
Chemical Leaman Tank Lines Charlotte, North Carolina	Little Sugar to Catawba	Chemical wastes	5/24/72	Case filed 6/15/72: Nov. 17, 1972-nolo contendere $5,000 fine suspended with probation. Case closed.
Chrysler Corporation Fenton, Missouri	Meramec River	Paint waste	12/12/72	Pending.
Clear Creek Coal Co. Monterey, Tennessee	Buck Branch Obey River	Acid	5/16/72	Information from investigation passed to U. S. Attorney who agrees with EPA that independent intervening acid sources cloud causal element. Complete survey of area would be necessary for Refuse Act prosecution. 1972 Amendments may provide better tool.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Clermont Fruit Packers, Hudson, New York	Hudson River	BOD, solids	9/18/72	Criminal suit and civil complaint filed 12/15/71, by USA for SD, NY; Pled guilty to 25 counts and was fined $12,500 on 11/14/72; EPA still rendering assistance on civil action.
Clinton Engines Maquoketa, Iowa	Maquoketa River	Oily wastes and metals	9/18/72	Pending.
Connecticut Hard Rubber New Haven, Conn.	Mill River to Long Island Sound	Heated cooling water and boiler blow down	12/29/71	Application for permit filed 6/12/72.
Cook Paint & Varnish Co., Kansas City Missouri	Missouri River	Paint wastes	12/17/71	Consent order under negotiation.
A. Leon Copel & Sons Troy, North Carolina	Little River	Textile wastes	1/25/72	Case filed 4/11/72. Fined $500 on *nolo contendere* plea 9/12/72.
Crown Prince Foods, North Platte, Nebraska	North Platte River	Food processing wastes	8/24/71	Declined 10/31/72. Connected to city system.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
D & B Products Youngstown, Ohio	Mahoning River	Failure to file	9/24/71	U.S. Attorney declined prosecution 10/18/71 and case closed.
Delmar Printing Co. Mathews, North Carolina	McAlpine Creek to Catawba River	Organic	5/24/72	Case filed 6/15/72. Abatement accomplished and case dismissed.
Denton Sleeping Garment Mills, Centreville, Michigan	Hog Creek to St. Joseph River	Failure to file	9/24/71	U.S. Attorney declined prosecution 1/12/72 and case closed.
Denver & Rio Grande Western Railroad Company, Roper, Utah	Jordan River	Oil and detergent discharge	9/24/71	No action per U. S. Attorney.
Diventco, Inc. New Milford, Connecticut	Housatonic River	Electroplating rinse waters	9/24/71	Civil complaint filed 12/1/71. Consent decree under negotiation.
East Brainerd Coin Laundry & Car Wash Chattanooga, Tenn.			3/1/72	
Eastern Foundry Boyertown, Pennsylvania			9/24/71	

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Eldorado Terminal Corporation, Bayonne, New Jersey	Kill Van Kull	Sodium sulfate	9/24/71	Information received that discharge has ceased; USA may not proceed with prosecution.
Esmond Machine & Tool Company, Smithfield, Rhode Island	Woonesquatucket River (Prov. River)	Industrial wastes	3/13/72	Company out of business.
FBI Gordon Corp., Kansas City, Kansas	Kansas River	Chemical wastes	12/10/71	Case declined. Abatement program negotiated.
Foster-Wheeler Corporation, Dansville, New York	Conoseraga Creek (Tributary of Genesee River)	Oil and grease, solids, phosphorus	9/24/71	Question as to navigability of Creek and River not yet resolved.
Forest Products, Smelterville, Idaho	Bear Creek	Bark and sawdust discharged directly to Bear Creek with no treatment	9/24/71	4/72 Dept. of Justice declined prosecution.
GAF Corporation, Kansas City, Missouri	Big Blue River	Industrial and solid wastes	12/71	U.S. Attorney plans to file case 12/72.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Green Valley Chemical Co., Creston, Iowa	Twelve-Mile Creek-Grand River	Ammonia	2/4/72	Declined 7/24/72. Navigability problem.
Halquist Stone Company, Inc., Sussex, Wisconsin	Sussex Creek	Failure to file	5/31/72	Indicted by Grand Jury 9/8/72. Pleaded guilty and fined $500 - fine suspended and Company placed on 1 year probation 10/72.
Henningsen Foods, Inc., Malvern, Iowa	Silver Creek & Missouri River	BOD, solids, salmonella	9/16/72	Pleaded nolo 8/11/72, $1,000 fine, will connect to city 11/73.
Hope Valley Dyeing Corp., West Warwick, Rhode Island	South Branch & Pawtuxet River	Untreated dyeing and finishing wastes	9/24/71	11/23/71 Received firm's application for permit to discharge.
Inland Container, Fenton, Missouri	Meramec River	Industrial dye	2/4/72	Case declined 11/15/72. Complete application filed.
Iowa Fund, Inc., Ankeny, Iowa	Hoifley Creek to Des Moines River	Industrial wastes (high BOD)	2/4/72	Case declined 11/9/72 Navigability problem.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Kaiser Cement and Gypsum Corporation, Delanco, New Jersey	Delaware River	Sulphate, calcium, dissolved solids	9/24/71	Further investigation showed no discharge to navigable waters. EPA wrote to USA for NJ dropping recommendation for prosecution on 6/15/72.
Kay-Dee Foods, Nutra-Flo Div., International Molasses, Sioux City, Iowa	Floyd River	Molasses discharge	11/29/71	Consent decree filed 9/6/72. Company enjoined from discharging. $500/day fine for violation.
Kennebec River Pulp & Paper, Madison, Maine	Kennebec River	Pulp and paper wastes	9/24/71	Indicted 10/19/71; pleaded nolo contendere $500 on 1/7/72.
Keokuk Steel Co. Keokuk, Iowa	Mississippi River	Chemical wastes	11/17/71	Declined 4/10/72. Complete application filed.
Kuhlwon Chenille Adiarsville Georgia	Unnamed stream	Textile waste	1/25/72	Company connected to municipal system shortly after referral. Therefore case not filed.
L & N Railroad, Waukatchil Yard, Chattanooga, Tennessee	Black Creek to Tennessee River	Oil	2/10/72	

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Leader Cheese Company, Reeseville, Wisconsin	Lau Creek	Failure to file	5/26/72	Indicted by Grand Jury 6/14/72. Pleaded not guilty 7/10/72.
Lefler Concrete Block Company, Charlotte, North Carolina	Stewart Creek to Catawba River	Arsenic	5/24/72	Case filed 6/15/72. November 17, 1972 - pleaded not guilty. Trial recessed until later date.
The Leisure Group, West Point, Mississippi	Town Creek	Chromium, oil and alkaline wastes	5/19/72	Prosecution may not proceed for lack of notice.
Lisbon Mills, Inc., Lisbon Falls, Maine	Androscoggin River	Suspended solids & organic matter from textile processing	9/24/71	Information filed 10/19/71, 2/4/72 pleaded guilty, 3/3/72 action dismissed by U.S. Attorney. Firm in bankruptcy.
Lutex Chemical Co., Chattanooga, Tennessee			2/10/72	Connected to city sewerage system 3/20/72 - prosecution unnecessary. 8/72 - EPA recommended solution to leeching from old septic tank drain field.
McRae Packers, Edison, Washington	North Fork Samish River which flows into Puget Sound	Discharging approx. 1,000 gpd wastewater containing blood and animal oil untreated to water environment	9/24/71	Company filed application for permit. Case dropped by U.S. Attorney's office.
Meadowbrook Coal Co. Lykens, Pennsylvania			9/24/71	Prosecution withdrawn.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Meclenburg County Abbatoir, Charlotte, North Carolina	Long Creek to Catawba River		5/24/72	Case filed 6/14/72. November 16, 1972. Nolo contendere $2,500 fine suspended with probation - case closed.
Menominee Enterprises, Inc., Neopit, Wisconsin	West Branch of Wolf River	Failure to file	9/24/71	EPA requested withdrawal of recommendation 3/1/72.
Metals Applied, Inc. Cleveland, Ohio	Cuyahoga River	Failure to file	9/24/71	Filed on 10/2/71; case dismissed.
Mid-City Industrial Park, Kansas City, Kansas			1/28/72	Indicted 4/72.
Midwest Cold Storage Kansas City, Kansas	Kansas River	Rendering wastes	2/3/72	Indictment 4/14/72. Omnibus hearing 4/26/72, pleaded nolo contendere, fined $500 8/4/72.
Midwest International, Kellogg, Iowa	North Skunk River	Cyanide and metals	2/4/71	Pled guilty 8/1/72 $500 fine.
Missouri Chemical Corp., St. Joseph, Missouri	Missouri River	Pesticides	2/2/72	Prosecution declined by U. S. Attorney 6/7/72. Company committed to connect to Industrial Sewer District.
Moline Malleable Iron Co., St. Charles, Illinois	Fox River	Failure to file	9/24/71	U.S. Attorney declined prosecution 5/12/72 and case closed.
Monroe Auto Cozad, Nebraska			11/9/71	

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
National Beef Packing, Kansas City, Kansas	Kansas River	Rendering wastes	1/21/72	Indicted 4/13/72. Arraigned 4/25/72, plea - not guilty. Trial 5/22/72, pleaded nolo contendere, fined $500.
National Molasses, Omaha, Nebraska	Missouri River	Molasses wastes	8/3/72	Information filed 8/10/72, NG plea 9/5/72. Trial set 1/73.
North Carolina Consolidated Hide Goldsboro, North Carolina	Little River to Neuse River	Tannery wastes	5/5/72	Abatement accomplished and prosecution no longer required. Case closed.
Northwestern Steel & Wire, Sterling, Illinois	Rock River	Failure to file	9/24/71	U.S. Attorney declined prosecution 5/12/72 and case closed.
Oaks Sand & Gravel Co., Near Reading, California	Sacramento River	Fine sediment from holding ponds	9/17/71	Suit withdrawn after EPA on-site visit 5/30/72 confirmed discharge pipe removed & no leaching occurring.
Pepsi Cola Miami, Florida			1/72	Fined $6,750 on 3/4/72.
Ponce Asphalt Co. Ponce, Puerto Rico	Cerrillo River	Heavy metals, solids, turbidity, color	9/24/71	Dept. of Justice determined that Cerrillo River is not navigable and determined to decline prosecution in letter to EPA of 9/29/72.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
PPG Industries Crystal City, Missouri	Plattin Creek & Mississippi River	Polishing & grinding waste	2/9/72	Consent decree filed 8/4/72. Best practicable technology & connection to city system by 12/1/72. Stream to be cleaned up by company. $2500 fine paid.
Remington Produce St. Anthony, Idaho	Henrys Fork River-tributary of Snake River	Effluent from seasonal potato processing plant discharges untreated waste to a swale flowing into Henrys Fork River.	9/24/71	4-72 Dept. of Justice declined prosecution.
Safeway, Inc. Kansas City, Kansas	Kansas River	Food processing waste	2/4/72	Negotiated settlement to connect to city. Completed connections 8/9/72.
Schafer Manufacturing Co., Union City, Michigan	St. Joseph River	Failure to file	9/24/71	U.S. Attorney declined prosecution 1/12/72, and case closed.
Snowco Omaha, Nebraska	Missouri River	Metals, COD	7/25/72	Information filed 8/10/72. Pleaded guilty. Fined $500 - 9/26/72.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
South Coast Construction Co. & Park Lido Development Co., Newport, California	Lower Newport Bay	Hydrogen sulfide and chlorine	3/23/72	Filed as civil action & temp. restraining order granted, 4/3/72. Preliminary injunction 5/8/72; discharge confirmed halted permanently 6/23/72. 8/24/72 case dismissed w/o prejudice.
Southern Wood Piedmont Co., Chattanooga, Tennessee	Chattanooga Creek to Tennessee River	Creosote phenols	2/10/72	Commitment obtained and prosecution declined.
Stockton Cheese Co. Stockton, Missouri	Little Sac River	High BOD & solids	9/24/71	Consent decree entered 10/22/71. All discharges ended 2/1/72.
Tampa Soap & Chemical Co., Tampa, Florida			1/25/72	Criminal case filed 1/72.
Tennessee Finishing & Dyeing Co. Daisy, Tennessee			2/10/72	Applied for permit shortly after referral - prosecution unnecessary.
Texfi Industries Mt. Gilead North Carolina	Rock Creek to Pee Dee River	Textile wastes	1/25/72	Case filed 4/11/72. Fined $500 on nolo contendere plea September 11, 1972.
Tremont Nail Co. Wareham, Massachusetts	Wareham River	Batch dumping of neutralized & diluted sulfuric acid	11/29/71	12/7/71 received application for permit to discharge.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
Tri-City Industrial Kansas City	Kansas River	Chromium	1/27/72	Indictment 4/14/72. Negotiating consent decree. Chromium discharge ceased 6/72.
Tri County Growers Monitor, Washington	Wenatchee River	Wastewater (includes defrost water) discharged untreated directly to irrigation ditch flowing into Wenatchee River	9/24/71	U.S. Attorney declined prosecution and will contact company's attorney and negotiate re their complying with Permit Program.
Union Pacific Railroad Company, Salt Lake City, Utah	Oil Drain Canal, tributary to the Great Salt Lake	Oil and detergent discharge	9/24/71	Suit filed 10/12/71. Dismissed; no action, U.S. Attorney.
U.S. Steel, American Bridge Division, Trenton, New Jersey	Delaware River	Solids, TOC, iron	9/24/71	Recommendation for prosecution withdrawn by letter from LSD to Dept. of Justice on 8/30/72 after Regional determination of no discharge.
U.S. Steel, Universal Atlas Cement Division, Cohoes, New York	Salt Kill Creek (Tributary of Hudson River)	Solids	9/24/71	EPA has not received any indication as to action or non-action from USA for NDNY.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
U.S. Steel, Universal Atlas Cement Division Hudson, New York	Hudson River	Solids, BOD	9/24/71	U.S. Steel filed RAPP application. USA for the SDNY declined prosecution in letter to EPA of 2/1/72.
Valentine Fisheries, Inc. Suamico, Wisconsin	Big Saumico River	Failure to file	5/16/72	Indicted by Grand Jury 6/14/72. Pleaded guilty and fined $500 - fine suspended and Company placed on 1 year probation 10/72.
Vincennes Paper Mill Vincennes, Indiana	Wabash River	Failure to file	11/1/71	Arraigned 1/20/72. Pleaded *nolo contendere* and fined $500 6/30/72.
Virginia Iron Coal & Coke Co. Wise County, Virginia		Failure to file	9/24/71	
Wallace-Murray Corp. Rolla, Missouri	Laines Fork to Bourbeuse River	High BOD, ammonia, oil and grease	2/4/72	Prosecution declined 4/3/72. Navigability problem.
Warren Bros. Co. Nashville, Tennessee			5/5/72	
Wire Rope Corp. St. Joseph, Missouri	Missouri River	Metals	2/2/72	Consent judgment & stipulation filed 7/19/72. Engineering report submitted 11/1/72. Plans & specs. due 3/1/73. New judgment re specific treatment of 6/1/73.

ABATEMENT LETTERS OF COMMITMENT

Table 4

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Adolph Coors Co. Golden, Colorado	Clear Creek	Discharging organics, solids, ammonia,and oil and grease	10/16/72	Agreed to EPA's effluent limits and monitoring program.
All-Brite Galvanizing Kansas City, Missouri	Big Blue River	15,000 gallon batch discharge containing heavy metals and low pH	10/2/72	Discharge eliminated Nov. 1, 1972.
Allied Chemical Corp., Elizabeth, New Jersey	Newark Bay	TSS, COD, heavy metals, ammonia, fluoride	6/29/72	Company agreed to effluent limitations and implementation schedule to begin October 1, 1972.
Allied Chemical Corp. Marrero, Louisiana	Mississippi River	Low pH, high TDS and TSS, sulfate, aluminum	Impl. plan - 2/9/72	Discharge eliminated with settling ponds & water recovery system by 10/2/72.
Allied Chemical Co. Dye Plant Buffalo, New York	Buffalo River	BOD, COD, TOC, oil and grease, ammonia, phenols, and TSS	12/19/72	Company has agreed to abatement program proposed by EPA.
Allied Chemical Corp. Richmond, Calif.	Castro Creek, trib. to San Francisco Bay	Acid wastes	7/27/72	See also Table 7. EPA on-site visit 7/31/72 confirmed required treat. facilities installed to neutralize discharge.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Allied Chemical Corp., Solvay, New York	Lake Onondaga	Suspended solids	3/24/72	Monitoring of company's program to remove suspended solids from its two outfalls.
Alton Box Board Company Lafayette Mill Lafayette, Indiana	Wabash River	Inadequate treatment of industrial wastes	7/25/72	Letter accepted 9/14/72. Company connected to City of Lafayette.
Amerace Esna Corporation Butler, New Jersey	Kikeout Brook (Passaic River)	Solids, sulfate, oil and grease	11/6/72	Agreed to all conditions except temperature limitations. This parameter is included in water quality standards.
Amerada Hess Port Reading, New Jersey	Arthur Kill	BOD, phenols, TSS, ammonia, oil and grease	11/21/72	Abatement program will meet the preliminary petroleum refinery effluent guidelines.
American Can Company Green Bay Mill Green Bay, Wisconsin	Fox River/ Green Bay	Pulp and paper mill wastes	8/7/72	Letter accepted 9/28/72. Company will connect to Green Bay MSD by 3/75.
American Crystal Sugar Drayton, North Dakota	Red River of the North	BOD$_5$, solids and ammonia	8/8/72	Agreed to monitoring schedule and will study effluent limits.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
American Crystal Sugar Mason City, Iowa	Winnebago River	Insufficient treatment of discharge, high BOD and solids	8/7/72	More efficient processing equipment to reduce waste installed. Complete retention system by Oct. 1973.
American Crystal Sugar Rocky Ford, Colorado	Arkansas River	BOD_5, solids and ammonia	8/8/72	Agreed to effluent limitations and monitoring program.
American Cyanamid Co., Linden, New Jersey	Atlantic Ocean	Ocean dumping - phosphates	6/24/71 8/18/72	Effluent disposal system to go into operation in April, 1975.
American Cyanamid Co., Organic Chemicals Division Bound Brook, New Jersey	Cuckels Brook	Mercury	6/25/71	Monitoring. Agreed to study methods of further reducing mercury in effluent. Agreed to contract for equipment to undertake chemical co-precipitation method.
American Metal Climax Henderson Mine, Colorado	Clear Creek	Mine discharge contains radioactivity and metals	9/19/72	Installed third treatment lagoon. Will meet State and Federal limits. Continuing monitoring.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
American Metal Climax Urad Mine, Colorado	Clear Creek	Mine discharge containing toxic metals	10/6/72	Operations will cease in early 1974. Aquatic biology survey is being conducted.
American Oil Co. Little Buffalo Basin, Wyoming	Grass Creek	Salty water being discharged being used by cattle	9/20/72	Will reinject water beginning 4/1/73.
American Oil Company Salt Lake City, Utah	Jordan River	Refinery discharge	7/20/72	No deterioration of present discharge. Eliminate bypass. Agreed to monitoring program.
American Potato Co. Blackfoot Plant Blackfoot, Idaho	Snake River	Food processing wastes	6/21/72	Discharge has been abated.
American Smelting & Refining Co., Globe Plant, Denver, Colorado	South Platte River	Excessive BOD_5, solids and toxic metals	9/11/72	Total containment.
American Smelting & Refining Company Leadville, Colorado	Ten Mile Creek	pH, solids and toxic metals	7/28/72	Agreed to total containment by 10/1/72.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
American Smelting and Refining Company, Perth Amboy, New Jersey	Arthur Kill	Arsenic, copper, zinc, nickel and lead	8/23/72	Company agreed to eliminate slag granulation process by January, 1973, and install cyclone separators by January, 1973.
Amnicola Highway Dump Chattanooga, Tennessee	Tennessee River	Trash and garbage	8/72	City agreed to clean up dump.
Amoco Oil Co. Mandan Refinery North Dakota	Heart River	Sulfate, oil and grease, ammonia and solids	11/29/72	Presented a monitoring program and effluent limitations.
Anaconda Company (International Smelting and Refining Division), Perth Amboy, New Jersey	Raritan River	Heavy metals	9/22/72	Company agreed to meet all effluent limitations by June 1, 1974.
Anne Arundel County Annapolis, Maryland	Chesapeake Bay	Solid waste leachate problem	8/11/72	A joint wastewater treatment plant for the City of Annapolis and part of Anne Arundel County will be constructed and in operation by November 13, 1974.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Armour and Co. Sioux City, Iowa	Missouri River	High BOD and solids	10/16/72	Connect to City early 1973.
Armour Dial Fort Madison, Iowa	Mississippi River	High BOD and solids	9/5/72	Plant to be fully operational by January 1973. Should meet industry guidelines.
J. T. Baker Chemical Company, Phillipsburg, New Jersey	Delaware River	Mercury	7/29/71	Company agreed to construct secondary treatment facility by late 1972 to control residual mercury discharge.
BASF Wyandotte Geismar, Louisiana	Mississippi River	Mercury	6/2/72	Complete mercury cell shutdown 12/31/73.
Basic Management Inc., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	5/26/72 8/1/72	See Table 3.
Basin Electric Power Leland Olds Unit #1 & #2 Stanton, North Dakota	Knife River	High flow and possible thermal effects	9/18/72	Agreed to EPA's monitoring program and will study thermal effects.
Berkley Springs West Virginia	Warm Springs - Potomac River	Raw sewage discharges	7/14/72	Completion of preliminary plans by January 15, 1973, completion of final plans by June 15, 1973, and construction to begin by Nov. 15, 1973.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Berwick Sewer District Berwick, Maine	Salmon Falls River	Needs upgraded waste treatment	3/72	Satisfactory abatement program under way.
Jack Bezona	unnamed waterway	Feedlot wastes	5/19/72	Use of the area as a cattle feedlot has been discontinued.
Birdsall Sand and Gravel Oral Plant Rapid City, South Dakota	Rapid Creek	Suspended solids	11/30/72	Accepted effluent limits and monitoring program.
City of Bismarck Bismarck, North Dakota	Missouri River	Filter backwash	6/2/72	Agreed to eliminate discharge by March 1975. Will provide interim reports.
Boston Edison Company Boston, Massachusetts	Boston Harbor	Oil	8/17/72	Oil spill contingency plan.
Boston Sausage & Provision Company Boston, Massachusetts		Industrial wastes (animal grease, fats, and solids)	8/8/72	Pre-treatment facilities under construction for oil and grease removal.
Brattleboro Kiln Drying and Milling Company, Inc. Brattleboro, Vermont		Chemical spill	4/11/72	Company promised to take steps to prevent reoccurrence of spill.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Brown Paper Company, Castleton-on-Hudson, New York	Moordener Kill (Tributary of Hudson River)	BOD, TSS	5/23/72	Company has agreed to start construction of primary facility in January, 1973, if Village of Castleton starts construction of secondary treatment facilities by January, 1973.
Calkraft Paper Elizabeth, Louisiana	Calcasieu River	COD	10/27/72	SS & BOD by 4/74.
Cargill Sioux City, Iowa	Flood River to Missouri River	BOD, solids	10/11/72	Flotation device installed. Effluent to be connected to city sewers by June 1973.
Carter Waters Corp. Tarkio, Missouri	Long Branch Creek to Tarkio River	Oil and grease	7/12/72	1st stage treatment to be installed by Jan. 1973. 2nd phase by July 1, 1973, if needed.
CF&I Steel Pueblo, Colorado	Arkansas River	Discharging BOD_5 solids, ammonia, oil & grease and toxic metals in large quantities.	9/25/72	Outline limits that they would meet and a monitoring schedule.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Charmin Paper Products Company Fox River Mill Green Bay, Wisconsin	Fox River/ Green Bay	Pulp and paper mill wastes	7/17/72	Letter accepted 7/26/72. Company will connect to Green Bay MSD by 3/75.
Chem-Haulers, Inc. Sheffield, Alabama	Tributary of Tennessee River	Chemical waste	5/23/72	Engineering report submitted to EPA as requested sets forth company's plan of abatement.
Chevron Oil Company Perth Amboy, New Jersey	Atlantic Ocean	Ocean dumping - caustic akaline soda	6/14/71	Monitoring. Company has agreed to investigate the economic feasibility of three alternative means of disposal.
Chevron Oil Company Salt Lake City, Utah	Great Salt Lake	Refinery discharge oil & grease, ammonia and phenols	7/28/72	Agreed to no deterioration of discharge. Will eliminate one discharge by 6/1/73. Accepted our monitoring program.
Chicago & North Western Railway Co. Green Bay, Wisconsin	Fox River	BOD, SS, phenols, oil, heavy metals	6/12/72	Letter accepted 6/23/72. Maximum limits for each contaminant will be obtained by 6/30/73.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Chicago Bridge & Iron Birmingham, Alabama	Village Creek	Steel making process wastes	9/15/72	Company committed to maintain closed system.
Chicago, Milwaukee, St. Paul and Pacific Railraod Nahant, Mason City, Ottumwa, Sioux City, Iowa	Mississippi River Winnebago River, Bear Creek, and Missouri River	Oil and grease	9/9/72	Sioux City wastes to city. Nahant, Mason City and Ottumwa to have oil separators installed by Jan. 1973.
Cianbro Corp. Pittsfield, Maine	Piscataqua	Lead based paint used to paint bridges sprayed into river	5/16/72	New bridge painting specifications adapted as of 5/16/72.
Cities Service Lake Charles, Louisiana	Calcasieu River	Susp solids, phenols oil, chromium, COD, BOD, ammonium	6/15/72	12/73 - Ammonium, BOD, COD, Chromium, oil, phenols, susp solids.
Cities Service St. Louis, Missouri	MSD Storm Sewer to Mississippi River	Ammonia, solids, pH		Engineering report due by Dec. 30, 1972, recommending connection to St. Louis MSD or to provide own treatment facilities.
Clark County Sanitation District Las Vegas, Nevada	Las Vegas Wash	Municipal wastes	5/26/72	See Table 3.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
W. A. Cleary Corp., New Brunswick, New Jersey	Raritan River	Mercury	9/20/72	Product creating mercury discharge will be discontinued.
Clinton Corn Processing Clinton, Iowa	Mississippi River	BOD, solids	7/27/72	Secondary treatment by Dec. 31, 1973, with some re-use of treated effluent.
Colonial Board Co. Shufibre Div. Covington, Tennessee	Town Creek	Textile wastes	10/25/72	Company agreed to meet EPA special conditions by 1/1/76.
Commonwealth Oil and Refining Company Ponce, Puerto Rico	Tallaboa Bay	BOD, ammonia, phenols, oil and grease and sulphur	8/18/72	Company has agreed to meet all effluent limitations by August 1974.
Conoco Oil Co.	Yellowstone River	Temperature, solids, and oil & grease	11/24/72	Agreed to EPA's effluent limits and monitoring schedule.
Conoco Oil Co. Denver Refinery Denver, Colorado	South Platte River	BOD_5, oil and grease and ammonia	11/22/72	Submitted proposed effluent limitations and monitoring schedule.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Conoco Lake Charles, Louisiana	Calcasieu River	Chromium, TOC, ammonia, susp. solids, oil & grease	2/9/72 impl. plan	To be completed by 12/31/72.
Consolidated Packaging Corporation Fort Madison, Iowa	Mississippi River	BOD, SS, oil and grease, phenols	8/1/72	Effluent to meet schedule B of Pulp and Paper Guidelines by Dec. 31, 1973. Anticipate meeting Schedule A by 1976.
Cosan Chemical Corp., Clifton, New Jersey	Passaic Valley Sewer Systems	Mercury	6/17/71 7/19/71	Monitoring. Company has achieved discharge level of .279 lbs/year.
Cotter Corp. Schwartzwalder Mine, Colorado	Clear Creek	Discharging metals and radioactive wastes	10/11/72	Agreed to meet our effluent limits by 12/31/72. Treatment system to be operational by 10/31/72.
Crompton-Shenandoah Company, Waynesboro, Virginia	South River	Discharging excessive amounts of chromium and suspended solids	9/28/72	Agreeing to construction of a wastewater treatment facility to treat BOD, chromium, and pH.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Crosby Chemical DeRidder, Louisiana	Calcasieu River	COD, sulphides, suspended solids, color, dilution	Impl. plan - 2/11/72 ACL - 11/3/72	Essentially complete as of 12/72.
Crystal Ice and Fuel Co. Brattleboro, Vermont	Connecticut River	Kerosene	8/8/72	Oil spill contingency plan.
C.S.T., Inc. Nitro, West Virginia	Kanawha River	High levels COP, BOD and total suspended solids	9/22/72	Agreed upon modifications to be operational by Sept. 1, 1973.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Dan River, Inc. Anderson, South Carolina	Rocky River	Textile wastes	12/4/72	Company agreed to connect to city sewers by 3/1/73.
Del Monte Corp. Ogden, Utah	Great Salt Lake	Process water	6/16/72	Will connect to the Central Weber Sewer District by 12/13/73.
Del Monte Corp. Smithfield, Utah	Bear River	Processing water	6/16/72	Will dispose of process wastewater on land by 12/31/72.
Denver and Rio Grande Western RR Salt Lake City, Utah	Jordan River	Car washing and diesel fuel	8/24/72	They will present their program in January 1973.
Dewey Blanton, Inc., West Collingswood, New Jersey	Newton Creek (Tributary of Delaware River)	Refuse deposited on property in such a way that the refuse could fall or be washed into creek	9/6/72	Company has agreed to remove all deposited refuse and install barrier to prevent further dumping of refuse on property.
Diamond International Natchez, Mississippi	Mississippi River	Paper mill wastes	9/19/72	Company agreed to meet EPA limits by 1/1/74.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Doehler Jarvis (Div. of NL Industries, Inc.), Batavia, New York	Tonawanda Creek	Cooling water discharge	6/22/72	Company has agreed to install abatement facilities by November 30, 1972.
Dubuque Packing Co. Dubuque, Iowa	Mississippi River	Solids, BOD	9/1/72 10/11/72	Connection to city sanitary sewers by Aug. 1972.
Duffy-Mott Co., Hamlin, New York	West Creek (Tributary of Lake Ontario	BOD, solids, oil and grease	4/14/72	Company has agreed to enter Monroe Co. sewage treatment plant.
Dunbar, West Virginia	Kanawha River	Total project cost $1,100,000	7/14/72	Completion of final plans by September 15, 1972, construction to begin on February 15, 1973, and operation of plant by March 1, 1974.
E.I duPont de Nemours Clinton, Iowa	Mississippi River	BOD, SS, acidity, sulfides	8/4/72	Plan to reduce BOD to 2300#/day by Jan. 1, 1974, includes emergency retention capability ties.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
E. I. DuPont Deepwater New Jersey	Delaware River	BOD, COD, ammonia, TSS, phosphorus, heavy metals, oil and grease	10/13/72	Company has agreed to construct treatment plant by June 1974, and have achieved secondary treatment by June 1975, tertiary by December 1975.
E.I. Du Pont de Nemours and Co., Linden, New Jersey	Atlantic Ocean	Ocean dumping-salts	6/29/71 7/13/72	Company agreed to study alternative methods of disposal. Study to take approximately 3 years.
E. I. duPont de Nemours Louviers, Colorado	Plum Creek	low pH and high nitrates	11/14/72	Will contain their discharge by July 1, 1973.
E. I. duPont de Nemours Topeka, Kansas	Kansas River	BOD, SS	8/16/72	Plant under construction to reduce BOD and SS to 800 #/day each. Completion by May 1973.
Eastern Fine Paper Brewer, Maine	Penobscot River	Paper wastes	9/25/72	Agreed to tie into Brewer Municipal Sewer District when available.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Eastern Products Corp., Wicomico Steel Plant Baltimore, Maryland	Baltimore Harbor	Excessive dischargers of cyanide and zinc	10/30/72	Agreed to pretreatment of plant wastes prior to discharge into sewer.
Elkhorn-Jellico Coal Co. Whitesburg, Kentucky	Rockhouse Creek	Coal washing	5/18/72	On 6/10/72 company installed facilities to abate pollution. Company, previously a nonfiler, has recently filed for a Refuse Act permit.
El Paso Natural Gas Co., Station #23 Big Piney, Wyoming	Piney Creek	Discharge from evaporation pond without permit application	9/18/72	Removed discharge pipe and installed evaporators.
City of Fargo Fargo, North Dakota	Red River of the North	WTP discharge	7/5/72	No discharge by 11/1/73. Will submit progress reports.
Federal Yeast Corp., Baltimore, Maryland	Baltimore Harbor	Acidic materials and suspended solids	9/19/72	Segregate its contaminated wastewater by October 1, 1972, to construct an additional sewer line by December 1, 1972, and to complete construction by March 1, 1973.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Fibreboard Corp. San Joaquin Div. Antioch, California	San Joaquin River	Toxicity, SS, biological oxygen demand and phenols	4/27/72 9/25/72	Equiv. of primary treat. by 12/31/72; equiv. of secondary treat. by 7/1/74.
Fieldcrest Mills Eden, North Carolina	Dan River	Textile wastes	10/9/72	Company agreed to meet EPA limits by 1/4/74.
Fieldcrest Mills Laurel Hill North Carolina	Gum Swamp	Textile wastes	10/9/72	Company agreed to meet EPA limits by 1/4/74.
Fike Chemical Company Nitro, West Virginia	Kanawha River	High levels COD, BOD and total SS	9/22/72	All necessary modifications will be completed by September 1, 1973.
Flintkote, Co., U.S. Lime Division Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	5/26/72	See Table 3.
FMC Corporation American Viscose Division, Nitro, West Virginia	Kanawha River	Discharges excessive zinc, BOD and suspended solids	8/22/72	Zinc removal and activated sludge units will be constructed and in operation by April 1, 1973, and an acid reclaim cooling tower system will be in operation by July 1, 1973.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Ford Motor Company Mahwah, New Jersey	Ramapo River	BOD, cadmium, chromium, nickel, zinc, and oil	6/30/72	Company has agreed to all conditions prepared by the RAPP staff.
City of Fort Collins Power & Light Ft. Collins, Colorado	So. Platte River	Cooling water	9/22/72	Plans call for termination of generation by 6/1/73.
City of Fort Collins WTP, Ft. Collins Colorado	Cache La Poudre River	Filter backwash	8/10/72	Will construct treatment facilities to meet effluent limits by 7/1/73.
Four-D Cattle Co. Asotin County, Washington	Grande Ronde River	Feedlot wastes	9/7/72	EPA investigation in Oct. 1972, disclosed no further cattle feeding on river banks.
Freeport Chemical Uncle Sam Louisiana	Mississippi River	Gypsum	9/25/72	Completion of plans 3/31/73. Construction to begin 7/1/73. Total impoundment 12/31/74.
GAF Corp. Denver, Colorado	So. Platte River	SS and oil & grease	9/29/72	Will recycle some cooling water. Contact cooling water will be treated by a new system.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
GAF Corporation New Windsor, New York	Quassaick Creek (Tributary of Hudson River)	Phenols, chlorinated hydrocarbons, chromium	12/1/71 6/30/72	Company has agreed to send its wastes to New Windsor secondary wastewater treatment facility.
GAF Corp., Dyestuff and Chemical Division, Linden, New Jersey	Arthur Kill	Mercury	6/27/71	Company agreed to reduce mercury discharge at cost of $700,000 by late 1971. Current daily discharge of mercury is averaging about 0.1 lbs.
Gambel Island Feeders, Inc., Idaho	Snake River	Feedlot cattle wastes	6/6/72	Company is in compliance with schedule outlined in ACL. Company to phase out operations by 3/1/74.
Gates Rubber Co. Denver, Colorado	So. Platte River	High solids concentrations and toxic metals	9/14/72	Accepted our effluent limits and adopted our monitoring program.
General Mills, Inc. Buffalo, New York	Buffalo Ship Canal	BOD. pH, fecal coliform, oil and grease	3/16/72 4/7/72 6/30/72	Company has allotted $144,900 to separate process waters from cooling waters. Process waters to be sent to Buffalo Sewer Authority.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Glidden-Durkee Jacksonville Florida	St. Johns	Organic chemicals	10/18/72	Company agreed to connect to city sewers and meet all limits proposed by EPA.
Gould Inc., Filter Division, Longmont, Colorado	St. Vrain Creek	Process water	9/5/72	Only cooling water will be discharged.
W. R. Grace & Co. Lake Charles Louisiana	Calcasieu River	Ammonia, SS, COD, high pH	Impl. plan - 1/11/72 ACL - 2/7/72	Ammonia down 2/3 by 1/73. Remainder by 12/75. pH controlled by 6/72. Remainder by 12/72 with further reductions by 12/73. ACL to HQ.
Great Lakes Carbon St. Louis, Missouri	MSD Storm Sewer to Mississippi River	Phenols, $N\text{-}NH_3$, cyanide levels	11/14/72	Treatment facilities to be completed by Aug. 1, 1974 to provide effluent to meet schedule A of Steel Industry.
Great Western Sugar Co., N. Platte River Nebraska	N. Platte River	Industrial waste	4/27/72	See Table 3.
Green Bay Metropolitan Sewerage District Green Bay, Wisconsin	Fox River/ Green Bay	Inadequate secondary treatment of wastes	8/28/72	Letter accepted 9/26/72 Company will start operation of plant by 3/25/75.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Great Western Sugar Billings, Montana	Yellowstone River	Organic waste	9/6/72	Will meet EPA effluent limits by 73-74 campaign. Agreed on monitoring program.
Great Western Sugar Brighton, Colorado	So. Platte River	Organic waste from beet sugar processing	9/6/72	Will meet EPA effluent limits during 72-73 campaign. Agreed to monitoring program.
Great Western Sugar Eaton, Colorado	Cache La Poudre River	Beet sugar mill discharge	9/6/72	Agreed to meet limitation by 72-73 campaign. Agreed to monitoring program.
Great Western Sugar Fort Morgan, Colorado	So. Platte River	Organic wastes from beet sugar processing	9/6/72	Will meet EPA limits by 73-74 campaign. Agreed to monitoring program.
Great Western Sugar Greeley, Colorado	So. Platte River	Organics from beet sugar processing	9/6/72	Agreed to meet limits during 73-74 campaign. Agreed to monitoring program.
Great Western Sugar Johnstown, Colorado	Little Thompson River	Beet sugar mill discharge	9/6/72	Will meet EPA limits by Oct. 1974. Agreed to monitoring program.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Great Western Sugar Longmont, Colorado	St. Vrain Creek	Organic wastes from beet sugar processing	9/6/72	Agreed to BPT limits by 72-73 campaign. Will eliminate surge pond discharge. Agreed to monitoring program.
Great Western Sugar Loveland, Colorado	Big Thompson River	Organic wastes from beet sugar processing	9/6/72	Will meet EPA effluent limits during 72-73 campaign. Agreed to monitoring program.
Great Western Sugar Lovell, Wyoming	Big Horn River	Beet sugar mill organic waste	9/6/72	Will meet EPA limitations by 74-75 campaign. Agreed to monitoring program.
Great Western Sugar Ovid, Colorado	So. Platte River	Organic wastes	9/6/72	Will meet EPA limits by 73-74 campaign. Accepted monitoring program.
Great Western Sugar Sterling, Colorado	So. Platte River	Organics	9/6/72	Will meet EPA limits by 73-74 campaign. Agreed to monitoring program.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Grower-Shipper Potato Monte Vista, Colorado	Rio Grande River	Organics from potato washing	11/24/72	Agreed to meet effluent limits and start monitoring program.
Hawthorn Avenue Dump Chattanooga, Tennessee	S. Chickamauga Creek	Trash and garbage	8/72	City agreed to clean-up dump.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Heinz Company, Chambersburg, Pennsylvania	Conococheague Creek	Contamination in runoff from this company's irrigation system	9/19/72	Construction of wastewater treatment facility, to be operational by 2/1/73.
City of Henderson Henderson, Nevada	Las Vegas Wash	Municipal wastes	6/6/72	See Table 3.
Henningsen Foods Malvern, Iowa	Silver Creek	BOD, solids and salmonella	10/3/72	In-plant waste reduction to reduce BOD to 62# per day. Connection to new city treatment system by 11/73.
Hercules, Inc. Carthage, Missouri	Center Creek	Nitroglycerin	10/18/72	Study plan submitted 10/18/72. Study to be completed by 10/73 and results submitted by 1/74.
Hercules, Inc. Imperial Color & Chemical Dept. Glens Falls, New York	Hudson River	Mercury	7/13/71 10/31/72	Secondary treatment facility to start up by 8/72; current discharge of less than .02 lbs/day.
Hercules, Inc. Lake Charles, Louisiana	Calcasieu River	High TOC, COD, suspended solids, sulfides	5/30/72 8/18/72	Biological treatment constructed 3/1/72. Skimmer pond to be inst. 2/1/73. Changed point of discharge. ACL to Hq disapproved.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Hercules, Inc. Parlin, New Jersey	South River	BOD, TSS, COD, nitrates, nitrites, chlorinated hydrocarbons, oil and grease	10/6/72	Agreed to install facilities to tie into Middlesex County Sewer Authority's secondary plant by 1975.
Hidden Valley Landfill Bucks County Pennsylvania	Tributary to Delaware River	Leachate from landfill escaping into Gallow Run	8/7/72	Construction of pollution abatement facilities will start in Nov. and will be completed by 4/30/73.
Holly Sugar Corp. Delta, Colorado	Uncompahgre River	High organic loading ammonia & fecal coliform bacteria	9/28/72	Agreed to meet EPA's effluent limits by 72-73 campaign. Agreed to monitoring program.
Holly Sugar Corp. Sidney, Montana	Yellowstone River	High organic loading solids ammonia and fecal coliform bacteria	9/28/72	Agreed to meet EPA's effluent limits by 72-73 campaign. Agreed to monitoring program.
Holly Sugar Corp. Torrington, Wyoming	North Platte River	Beet sugar processing discharge containing high BOD$_5$ and coliform bacteria	9/28/72	Agreed to meet EPA's effluent limits by 72-73 campaign. Agreed to monitoring program.
Holly Sugar Corp. Worland, Wyoming	Big Horn River	Organics, solids ammonia and coliform bacteria	9/28/72	Agreed to meet EPA's effluent limits by 72-73 campaign. Agreed to monitoring program.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Humble Oil & Refining Co., Everett, Massachusetts	Long Meadow (tributary of Merrimack)	Oil discharge	6/14/72	Embarked on an oil leak prevention program.
Humko Products Memphis, Tennessee	Wolf River	Organic chemicals	10/20/72	Company connected to Memphis sewer system.
Husky Oil Company Cheyenne, Wyoming	South Platte River	Discharging excess quantities of BOD_5, oil & grease & phenols	5/1/72	Agreed to expand and modify treatment facilities by 7/1/73. Agreed to our effluent limits and monitoring schedule.
Husky Oil Company Cody, Wyoming	Big Horn River	Suspended solids, oil & grease	7/20/72	Agreed to our effluent limits and monitoring program.
Husky Oil Company Salt Lake City, Utah	Jordan River	Refinery discharge	7/20/72	No deterioration of present discharge. Agreed to accept our effluent limits and monitoring program.
ICI America, Inc. (Atlas Chemical) Joplin, Missouri	Grove Creek	Nitroglycerin	10/21/72	Study plan sumbitted 10/17/72. Study to be completed by 10/73, with final report by 1/1/74.
Idaho Potato Starch Co. Blackfoot, Idaho	Snake River	Food process wastes	3/8/72	Spray field is in use and pollution has been abated.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Ideal Cement Co. Portland, Colorado	Arkansas River	Cement plant discharge	11/29/72	Total containment by the summer of 1974.
Illini Beef Packers, Inc., Geneseo, Illinois	Rock River	Inadequate treatment of industrial wastes	7/7/72	Letter accepted 7/17/72. Company will provide secondary treatment of wastes by 8/72.
Imperial Paper Co. Plattsburgh, New York	Saranac River (Lake Champlain)	Mercury, chromium, lead, oil & grease	1/31/72	Company agreed to discontinue use of all lead and chromium pigments no later than 1/31/73. Will send wastewater to Plattsburgh treatment plant to be constructed by late 1973.
Industrial Sugar St. Louis, Missouri	MSD Storm sewer to Mississippi River	BOD	8/17/72	One discharge connected to city sanitary sewer 7/19/72. Other two by 3/31/73.
Islip Scavenger Waste Plant Islip, New York	Awixa Creek (Great Cove)	BOD, coliform	4/7/72	Town has agreed to rehabilitate equipment, eliminate toxic wastes and extend process operation time.
ITT-Rayonier Fernandina Beach Florida	Amelia River	Pulp & paper mill wastes	2/8/72	Company adopted new abatement program including processing to effect 95% BOD reduction.
J. & C Dyeing Co. Shelby, N.C.	First Broad River	Textile dyes	8/72	Company has agreed to modify discharge pipes so that wastes will not be bypassed into the river should their pumps fail.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Jones Chemical, Inc. Henderson, Nevada	Las Vegas Wash	Nutrients & total dissolved solids	6/8/72	See Table 3. Elimination of discharge confirmed prior to receipt of letter.
Junior, West Virginia	Tygart River	BOD & suspended solids discharge	7/15/72	Start of construction in **4/1/73** and operation of plant by 1/1/74.
Kaiser Gypsum Company, Inc. Long Beach, California	Long Beach Inner Harbor	Gypsum dust	4/5/72	Discharge to hald 12/31/72. Gypsum dust to be recycled into mfg. process.
Kennecott Copper Magna, Utah	Great Salt Lake	Large volume discharge of BOD_5, solids, toxic metals and others	4/27/72	Agreed to eliminate one discharge and accepted EPA effluent limits and monitoring schedule.
Kennecott Copper Corp. Ray Mines Ray, Arizona	Mineral Creek (tributary to Gila River)	Heavy metals	9/20/72	Complete by 7/73 stream diversion project around mine to prevent leaching of toxic heavy metals.
Kennecott Copper Corp. Reduction Plant Hayden, Arizona	Gila River	Heavy metals	9/20/72	Complete by 4/73 a recycling system to catch tailings pile water runoff for recycle use in concentrator.

Name & Locator of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Kimberly Clark Memphis, Tennessee	Wolf River	Paper mill wastes	10/20/72	Company agreed to connect to Memphis sewer by 9/73.
Kind and Knox Gelatin Port Neal Complex Sioux City, Iowa	Missouri River	BOD, solids, clorides & chromium	7/13/72 11/3/73	Project to achieve recommended final effluent levels to be completed by 1/73.
Kittredge WTP Evergreen WTP(old) Evergreen WTP(new) Colorado	Bear Creek	Filter backwash	4/26/72	These three WTP's submitted implementation schedule for upgrading their effluents to conform with WQS by 8/20/73.
Kopas Corp. Denver, Colorado	Clear Creek	Suspended solids	10/10/72	Will install storm sewer by 10/15/72, no discharge into Clear Creek.
Koppers Co., Inc. (formerly J.I. Wells Company), Salisbury Maryland	Wicomico River	Discharged wastes to lands adjacent to the river from which rain storms wash such wastes into waters	8/8/72	Operate a facility for treating its discharge. Agreed to install the system Betz Environmental Engineers submitted.
City of Las Vegas Las Vegas, Nevada	Las Vegas Wash	Municipal wastes	6/7/72	See Table 3.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Las Vegas Valley Water District Las Vegas, Nevada	Las Vegas Wash	Municipal wastes	6/1/72	See Table 3.
Lehigh Valley RR & Humble Oil Company Bayonne, New Jersey	Kill van Kull	Oil deposited on property seeping into drainage ditch	12/17/71	Companies have agreed to clean up, cap tanker cars, and construct weir to contain oil.
Linden Chlorine Products Linden, New Jersey	Arthur Kill	Residual mercury discharge	5/23/72	Company has assumed responsibility for its mercury discharge into common waste stream servicing LCP and GAF. Company also committed itself to maintaining maximum and average mercury loads.
Lone Star Industries, Inc., Cement and Construction Material Group Richmond, Virginia	James River	Discharged appreciable amounts of suspended solids	9/26/72	Immediate treatment of suspended solids discharged into the river.
City of Longmont Colorado	St. Vrain Creek	Filter backwash	11/10/72	Outline of construction schedule to be completed by May 1973.
City of Loveland WTP Loveland, Colorado	Big Thompson River	Filter backwash	8/15/72	Will contain all discharge by July 1973.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Lutex Chemical Chattanooga, Tennessee	Tributary to South Chickamauga Creek	Dye	3/23/72	Company has connected to city sewer.
M & T Chemicals, Inc. Baltimore, Maryland	Patapsco River	Discharged phenols and suspended solids	9/28/72	Construction of treatment facility to be operational by 8/31/73.
Mallinckrodt Chemical Jersey City, New Jersey	City sewer	Mercury	6/30/71	Neutralization facility on line by Oct. 1972.
Mallory Battery Co. Tarrytown, New York	Hudson River	Mercury	6/28/71	Monitoring. Company agreed to construct weirs; average discharge around .001 lbs/day.
Mariani Air Products Salt Lake City, Utah	Price River	Suspended solids & some metals	10/27/72	No degradation of current water quality. Agreed to monitoring program.
Martin Marietta Waterton, Colorado	South Platte River	BOD_5, coliform from sanitary wastes & toxic metals	6/26/72	Agreed to our effluent limits monitoring schedule and will report other parameters for limited time.
Mattaponi Sand and Gravel Co., Inc. Aylett, Virginia	York River	Discharged BOD_5 & suspended solids	9/19/72	Enlargement of settling ponds to treat its discharges to acceptable levels.

Name & Location of Dischargers	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
MDC Boston Harbor Boston, Massachusetts	Boston Harbor	Sludge & municipal industrial wastes	6/19/72	1) Commonwealth will undertake comprehensive study to determine most feasible means of achieving secondary treatment for all wastes at Deer and Nut Island by 5/1/79. 2) Elimination of Sludge a) Study to be completed by 3/1/73. b) Engineering plans & spec. 7/1/74. c) Completion of sludge facilities by 5/1/76. Shall not alter or supersede any proceeding under applicable State or Federal law.
Memphis City Dump Memphis, Tennessee	Wolf River	Trash and garbage	8/23/72	City agreed to clean up dump.
Merck & Co. South San Francisco California	San Francisco Bay	Particulate magnesium hydroxide	10/10/72	Formalized agreement from meeting 11/16/71. Unification of 7 outfalls completed 4/18/72 to reduce toxicity of specific discharges. Will tie into subregional system c. 1/1/74.
Merck Chemical Co. Hawthorne, New Jersey	Passaic Valley Sewer System	Mercury	6/22/71	Monitoring. Company has agreed to cease all wet processing of inorganic mercurials.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Merck Chemical Division Rahway, New Jersey	Atlantic Ocean	Ocean dumping of chemical sludge	8/24/72	Company has agreed to study alternative methods of disposal.
Metals Processing, Inc. Salt Lake City, Utah	Jordan River	Toxic metals	11/2/72	No deterioration of present effluent quality. Will meet effluent limits by 9/1/73. Agreed to monitoring program.
Midwest Solvents Atchison, Kansas	Missouri River	BOD & SS	9/20/72	Several in-plant changes completed to reduce flow and pollutants. Complete treatment to be provided by April 1975. Total project cost estimated at $6,000,000.
Mill Creek West Virginia	Mill Creek	Municipal wastes	7/15/72	Completion of construction of secondary treatment by 12/11/74.
Minnkota Power Cooperative Milton R. Young Plant North Dakota	Missouri River	Flow is 158 MGD Solids are high	8/14/72	Constructed a cooling pond. Agreed to our effluent limits and monitoring schedule.
Missouri Beef Packers, Phelps City Missouri	Tributary to Rock Creek	SS, $N\text{-}NH_3$ and Cl levels	7/17/72 (Partial)	Installation of flotation clarifier Jan. 1973 and elimination of wastes from hide plant. Engineering report to be made Mar. 1973.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date ACL Received	Results or Status
Missouri Chemical Co. St. Joseph, Missouri	Missouri River through storm sewer	Pesticide residuals	9/28/72	Connection to South St. Joseph Industrial District to be completed as soon as monitoring equipment is installed, 1/2/73.
Mobay Chemical Co. New Martinsville West Virginia	Kanawha River	Phenols, suspended solids and colors	9/13/72	Facilities should be in operation by 12/31/75, as stated in the executed commitment letter of 8/18/72, with a total of 5 million dollars.
Mobil Oil Corp. Paulsboro, New Jersey	Delaware River	BOD, COD, TOC, oil & grease, volatile solids, ammonia, phenols & turbidity	2/1/72 5/12/72 5/16/72	Company agreed to abatement schedule to be completed by Dec. 1975.
Mohawk Paper Co. Cahoes, New York	Mohawk River	TSS	5/22/72	Company agreed to install pretreatment facility by late 1972.
Monsanto Company Anniston, Alabama	Snow Creek	PCB's	1/19/72	Company has ceased PCB production as of 4/28/72 and confirm same in writing.
Monsanto Company Bridgeport, New Jersey	Delaware River	pH, temperature, BOD, TSS, turbidity, oil & grease, phenols	12/11/72	Agreed to a two-phase abatement schedule to be completed by Aug. 1975.
Monsanto Company Muscatine, Iowa	Mississippi River	Herbicides & acid	10/17/72	Several in-plant changes (recovery) to be completed by 1/1/74 to reduce pollutants discharged.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Monte Vista Potato Growers Assn., Monte Vista, Colorado	Rio Grande River	Organics from potato processing	9/13/72	Will adopt monitoring program.
Montpelier, City of Idaho	Bear River to Snake River	Municipal wastes	6/20/72	Resolution passed by City to effect proper treatment.
Montrose Chemical Co., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	5/31/72	See Table 3.
John Morrell and Co., Ottumwa, Iowa	Des Moines River	BOD, solids, coliform	10/20/72	Initiated 2½ year comprehensive waste reduction program to increase treatment efficiency and eliminate certain sources.
John Morrell & Co., Sioux Falls, South Dakota	Big Sioux River	Organics	11/17/72	Will meet EPA limits by Jan. 1, 1974. Will adopt monitoring program.
Mountain Aggregates, Inc. Empire, Colorado	South Platte River	Gravel washing	8/24/72	Will contain their wastewater in a pit.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Nassau Smelting and Refining Co., Staten Island, New York	Kill Van Kull	BOD, pH, suspended solids, zinc,copper lead, oil & grease	5/4/72 6/1/72	Company agreed to install wastewater treatment facilities by March 1, 1973.
National Beef Packers Kansas City, Kansas	Kansas River	Solids, BOD	10/4/72	Discharge of process wastes eliminated 4/23/72.
National By-Products La Platte, Nebraska	Platte River	Rendering wastes		Plant burned down.
National Gypsum Mobile, Alabama	Mobile Bay	Paper mill	9/15/72	Company committed to pretreat and discharge to Mobile municipal sewer by 2/19/73.
National Lead, Co., Sayreville, New Jersey	Atlantic Ocean	Ocean dumping-sulfuric acid	8/11/71 11/3/72	Monitoring. Company has submitted detailed study of "acid-iron" waste disposal at sea.
Needham Hide Port Neal Complex, Sioux City, Iowa	Oxbox Lake to Missouri River	Chromium, BOD, TDS, SS,NH_3, oil and grease	8/23/72	Final plans-11/1/72. Construction completion-8/73.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Needham Packing, Sioux By-Products, Sioux City, Iowa	Missouri River	Rendering wastes	8/4/72	Connected to city sewer 10/1/72.
Nepera Chemical Co., Harriman, New York	Atlantic Ocean	Ocean dumping-chemical wastes	4/6/71	Agreed to build incinerator facility at cost of $207,000.
Nestle Co., Freehold, New Jersey	Debois Creek	BOD, thermal, oil, & grease	4/13/72	Agreed to discontinue use of sludge field, and build retention basin around clarifier.
Nevada Power Co., Clark Generating Station Las Vegas, Nevada	Las Vegas Wash	Cooling tower blowdown	9/14/72	See Table 3.
Nevada Power Co., Sunrise Generating Station, Las Vegas, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	9/14/72	See Table 3.
Nevada Sand & Gravel Co., Las Vegas, Nevada	Las Vegas Wash	Nutrients & total dissolved solids	5/23/72	See Table 3. Elimination of discharge confirmed prior to receipt of letter.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
NL Industries, Salt Lake City, Utah	Great Salt Lake	High concentrations of sulfate, ammonia & chlorine	7/5/72	Will evaluate impounding discharge. Process water will not reach Great Salt Lake.
Norfolk Coca-Cola and Bottling Works, Inc. Portsmouth, Virginia	Elizabeth River		7/5/72	Will evaluate impounding discharge. Process water will not reach Great Salt Lake.
Northwestern Engineering Company, Denver, Colorado	Clear Creek	Asphalt plant	11/24/72	No discharge.
Olin Corporation, Brandenburg, Kentucky	Ohio River	Bis ether	5/25/72	Company reported to EPA on 5/25/72 that the recovery unit for the Bis (2 chloroisopropyl) ether was placed in operation on 5/12/72 & company expects this treatment will produce the intended removal of wastes. Region IV is attempting to obtain an abatement schedule for the wastes from Olin's propylene oxide plant.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Olin Corporation, Lake Charles, Louisiana	Calcasieu River	Ammonia, susp. solids, organic nitrogen, TOC, high pH, high temperature	3/15/72	ACL to Hq for approval. Facilities to be completed by 12/31/73.
Otter Tail Power Co., Kidder Steam Plant Wahpeton, North Dakota	Red River of the North	High pH, temperature and solids loading	10/27/72	Plant will be closed no later than 5/7/75. No degradation of current water goal.
Pacific Power & Light Dave Johnston Plant Glenrock, Wyoming	N. Platte River	Cooling water discharge	10/5/72	Agreed to EPA's effluent limits and monitoring program. Will conduct thermal study by 10/1/73.
Pacific States Castiron Pipe Co., Salt Lake City, Utah	Great Salt Lake	Toxic metals	11/8/72	Agreed to EPA's monitoring schedule.
Packaging Corp. of America Tama, Iowa	Iowa River	BOD, SS.	9/19/72 11/29/72	Spray irrigation system for treatment by June 1973. Only discharge would be cooling water.
Paul, City of Idaho	Snake River	Municipal wastes	6/14/72	Resolution passed by city to effect proper treatment.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
PBI-Gordon Kansas City, Kansas	Kansas River	Pesticides	10/5/72	All wastes to be diverted or recycled to eliminate discharge by 1/1/73.
Petro Products, Inc., Athens, Alabama	Little Piney Creek	Oil	6/9/72	Correspondence sets forth ten-point abatement timetable. Latest correspondence (6/22/72) from AWIC indicates recommendations were being followed and would be met within prescribed period.
Pfizer and Company, Groton, Connecticut	Long Island Sound	Ocean dumping-mycelium wastes	6/29/71 10/15/71	Company to dispose of mycelium wastes via town landfill. All offshore disposal of mycelium was ceased by 6/30/72.
Phillips Petroleum Salt Lake City, Utah	Jordan River	BOD_5, oil & grease, phenols & ammonia	7/20/72	Agreed to combine all discharges. Will meet EPA's effluent limits and monitoring program.
J.S. Pickett & Sons, Inc. Dubuque, Iowa	Mississippi River	BOD, solids	7/28/72 8/30/72	Connected to city sewer, 4th quarter, FY 73.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Piedmont Heat Treating Co., Charlotte, North Carolina	Charlotte Storm Sewer	Metallic wastes	9/30/72	Company agreed to meet EPA limits and cease discharge to public streams.
Pipe Street Dump Gulfport, Mississippi	Bernard Bayou	Trash & garbage	8/72	City has closed the dump and conditions for cleanup are being discussed.
Port Chester Sewage Treatment Plant, Russel Burdsall Co., and Ward Bolt & Nut Company, Port Chester, New York	Westchester County Secondary Treatment Plant	Heavy metals, oil and grease	1/5/72	Companies will treat effluent to bring them into line with County sewage ordinances by Aug. 1972. County will have final plans and specs for secondary plant submitted to State of New York by April 3,1972. Village of Port Chester will join County system.
PPG Industries, Lake Charles, Louisiana	Calcasieu River	Clor. Hydrocarbons lead, Hg (Mercury)	12/19/72	12/76 - Hydrocarbon 12/72 - Lead attained 0.1/100 ton/day now (12/72).
Pratt & Whitney Aircraft Co., East Hartford, Connecticut	Atlantic Ocean	Ocean dumping-chemical wastes	7/19/71 10/2/72	Company has agreed to study alternative methods of disposal.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Pratt Brothers Coal Co., Hazard, Kentucky	Rockhouse Creek	Coal washing	5/3/72	Company agreed to install settling basin.
Priest River, City of Idaho	Pend Orielle Lake	Municipal waste	6/26/72	Resolution passed by city to effect proper treatment.
Prime Tanning Co., **Berwick, Maine**	Salmon Falls River	Needs upgraded waste treatment tie to Berwick	3/72	Satisfactory abatement program under way.
Public Service of Colorado Arapahoe Plant, Denver, Colorado	South Platte River	Cooling water	11/6/72	Agreed to EPA's effluent limits and monitoring program.
Public Service Co. of Colorado, Cherokee Plant, Denver, Colorado	South Platte River	High solids & cooling water discharge	9/18/72	Agreed to our effluent limits and monitoring program.
Public Service Co. of Colorado, Ft. St. Vrain, Colorado	South Platte River	Cooling water and ash pond discharge	7/17/72	Discontinue demineralizer discharge. Accepted effluent limits & monitoring schedule.
Public Service Co. of Colorado, Valmont Station, Denver, Colorado	South Platte River	High solids	9/18/72	Agreed to our effluent limits and monitoring program.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Public Service Co. of Colorado, Zuni Plant Denver, Colorado	South Platte River	Cooling water	11/6/72	Agreed to EPA's effluent limits and monitoring program.
Ranchway Feed Mills, Ft. Collins, Colorado	Cache La Poudre River	Suspended solids & high pH	10/3/72	Boiler blowdown discharge will be eliminated by 1/73.
Reichhold Chemicals Charlotte, North Carolina	McAlpine Creek	Organic chemical	11/21/72	Company agreed to meet EPA limits.
Reilly Tar & Chemical Corp. Fairmont, West Virginia	Monongahela River	Phenolic waste emanating from the facility	8/28/72	Interim treatment pending closing of plant.
Reilly Tar & Chemical Provo, Utah	Utah Lake	Metals, high temperature & phenols	11/20/72	Will maintain current effluent quality. Agreed to our effluent limits & monitoring schedule.
Rio Grande Starch Co., Monte Vista, Colorado	Rio Grande River	Process waste	8/1/72	Agreed to total containment

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Rohm & Haas, Inc., Whitmoyer Laboratories, Myerstown, Pennsylvania	Atlantic Ocean	Ocean dumping-chemical wastes	3/19/71	Monitoring. Company has agreed to remove and clean up arsenical waste disposal sites, and startup of arsenical production on a no discharge basis.
Rolling Mills Tank Farm South Portland, Maine		Oil	8/9/72	Oil companies constructed an interceptor trench to carry oil leakage to a separator which would skim oil off by 8/18/72.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
St. Albans West Virginia	Kanawha River		7/14/72	Completion of construction on March 15, 1974, and operation of plant on April 15, 1974.
Peter J. Schweitzer, Division of Kimberly-Clark Corporation, Spottswood, New Jersey	Atlantic Ocean	Ocean dumping - pulp wastes	6/14/71 9/26/72	Monitoring. Company has agreed to stop dumping "Black Liquor" and now sends its wastes to Middlesex County Sewage Authority's treatment plant.
Scott Paper Company Marinette, Wisconsin	Menominee River	Pulp & paper wastes	6/20/72	Letter accepted 7/17/72 Company will attain specified effluent limits for BOD & SS by 1/1/76.
Seaboard Coastline R.R. Co. Hamlet, North Carolina	Marks Creek	Oil	3/24/72	Company has complied. Refueling operation discontinued. Agreed to put in oil treatment facilities when refueling operations resume. Agreed to clean up oil on ground. Pollution abated.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Sheboygan, City of Wisconsin	Lake Michigan	Inadequate treatment of municipal wastes	8/21/72	Letter accepted 9/11/72. City will complete 3-phased construction projects by 3/31/76.
The Singer Company, Elizabeth, New Jersey	Newark Bay	BOD, COD, iron, zinc, phosphorus, suspended solids, oil and grease	2/7/72 5/8/72	Company has agreed to construct necessary treatment facilities by mid-1973.
Sioux City Dressed Beef (Needham) Sioux City, Iowa	Missouri River	Solids from cattle holding pens runoff	8/4/72	Provide pretreatment and connection to city sewers by 1/15/73.
Sioux City, Iowa	Old Floyd Channel New Floyd Channel Missouri River	Unidentified sanitary and industrial discharges to storm sewers.	9/14/72	Ongoing program to identify sources and eliminate discharges. Will also require sewer separation.
Sioux City Stockyards	Old Floyd Channel New Floyd Channel Missouri River	BOD, solids	10/11/72	Program to reduce wastewater quantity, collect all wastes and discharge to City system by 12/1/74. Cost $3,500,000.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Smith Meal Company, Amagansett, New York	Long Island Sound	Fish wastes discharged over the side of fishing vessels owned by company	2/11/72	Company has committed itself to spending $1,200 to correct operations.
Snowco Omaha, Nebraska	Missouri River	Heavy metals and COD	9/13/72	Program initiated to achieve effluent limits recommended by EPA.
Southern Wood Piedmont Chattanooga, Tennessee	Chattanooga Creek	Phenols	6/12/72	Received letter confirming dike in place, also, lab analysis of stream showing definite improvement.
Spokane, City of Washington	Spokane River	Municipal waste	9/29/72	Resolution passed by city to effect proper treatment.
Springfield Electroplating Company Springfield, Vermont		Cyanide poisoning	4/16/72	Agreed to halt discharge and install adequate treatment system.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Standard-Coosa-Thatcher Co. Chattanooga, Tennessee	Chattanooga Creek	Dye and ammonia	3/1/72	Company has complied and installed controls to abate dye waste.
State Stove & Mgf. Co., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	6/8/72	See Table 3.
Stauffer Chemical Baton Rouge, Louisiana	Mississippi River	Alum muds, pH, susp solids, oil & grease, sulfite	8/9/72	Removal of alum muds 8/1/73. All others by 12/31/75.
Stauffer Chemical Co., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	5/31/72	See Table 3.
Stauffer Chemical Corp., Niagara Falls, New York	Niagara River	pH, suspended solids, heavy metals	5/24/72	Agreement reached on all parameters except lead; residual lead discharge to be retested by company in January.
Stauffer Chemical Company Salt Lake City, Utah	Great Salt Lake	High concentrations BOD_5, solids phosphorus and toxic metals	8/29/72	No deterioration in current quality. Process water recycle by 12/1/73. Agreed to our monitoring schedule.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Stauffer Chemical Co. Silver Bow Plant, Montana	Silver Bow Creek	Sanitary and industrial wastes	10/30/72	Eliminated wastewater discharge.
Swift & Co. Burley, Idaho	Snake River	Feedlot wastes	5/6/72	Use of the area as a cattle feedlot has been discontinued.
Swift Agricultural Chemical Corp. Chesapeake River	Elizabeth River	Discharged high concentrations of acid, suspended solids and metals	7/28/72	Abated high levels of agricultural chemical discharges by 8/1/72.
Swim-Mor Pools, West Collingswood Heights, New Jersey	Newton Creek (Tributary of Delaware River)	Deposited refuse matter that could fall or be washed into waterway	8/10/72	Company committed itself to not deposit further refuse and clean up property and shoreline.
Tenneco Chemicals, Inc. Elizabeth, New Jersey	Arthur Kill	Mercury	6/16/71	Monitoring. Company agreed to collect effluent in sump and precipitate out mercury as mercuric sulfide; virtual elimination.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Tennessee River Pulp & Paper Counce, Tennessee	Tennessee River	Paper mill wastes	10/17/72	Company agreed to meet EPA limits by 7/2/72.
Texaco, Inc., Westville, New Jersey	Delaware River	Chromium, phosphorus and ammonia	2/10/72 4/24/72	Due to collapse of Gloucester County regional system, company has agreed to provide its own treatment facilities.
Texas Gulf Sulphur Co. Granger, Wyoming	Green River	Mine shaft discharge. High pH sodium compounds.	7/25/72	Will contain all shaft flow solution by 10/31/72.
38 Street Dump Chattanooga, Tennessee	Chattanooga Creek	Trash and garbage	8/72	City agreed to clean up dump.
Titanium Metals Corp. of America Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	8/7/72	See Table 3.
Toms River Chemical Corp., Toms River, New Jersey	Atlantic Ocean	Mercury	6/11/71	Monitoring. Company expended $273,000 to study mercury removal. Added removal/stripping steps to its production procedure.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Triangle Conduit and Cable Co., Inc. Glen Dale, West Virginia	Ohio River	Discharged acids cyanide, chromium and copper	9/28/72	Construct a facility to limit pollutants in the segregated contaminated flows, to be operational by 12/31/72. Estimate cost of the modifications described in the commitment section is $74,000.
USAEC Dow Chemical Dow Chemical Rocky Flats, Colorado	Clear Creek	Potential radioactivity	11/24/72	Agreed to no deterioration of their discharge.
Union Carbide Corp. Bennington, Vermont	Wallomsac River	Ammonia discharge	5/17/72	Adapted preventive ammonia disposal practices.
Union Pacific RR Salt Lake City, Utah	Jordan River	BOD_5 and oil and grease from washing operations	8/16/72	Agreed to no deterioration of present discharge
United Power Association Stanton Plant, North Dakota	Knife River	Ash discharge from scrubbers. Temperature from condensers.	7/14/72	Will build larger ash pond for process wastes. Agreed to EPA's effluent limits and monitoring schedule.

Name and Location of Discharger	Receiving Water	Pollutaion Problem	Date ACL was Received	Results or Status
United States Metals Refining Company, Carteret, New Jersey	Arthur Kill	Suspended solids, ammonia, nitrate, phosphorus, heavy metals, oil and grease	4/13/72	Company has agreed to a 5-year-phased project for abating its pollution.
U.S. Gypsum Company Lisbon Falls, Maine	Androscoggin River	Paper wastes	7/5/72	Agreed to tie into Lisbon Sewer District; Also committed to construct pre-treatment facility to reduce solids and flow to be completed by 10/73.
U. S. Steel Geneva Works Provo, Utah	Utah Lake	Suspended solids, oil & grease and metals	11/3/72	Presented their suggested limits and monitoring program.
Utah-Idaho Sugar Co. Garland, Utch	Malad River	Organics from beet sugar processing	11/17/72	Will meet EPA limits by Oct. 1973. Recirculation of flume water.
Utah Wool Pulling Salt Lake City, Utah	Great Salt Lake	High BOD_5 and solids	11/20/72	Waste discharges into Salt Lake Surplus Canal will terminate 4/30/73.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Velsicol Chemical Corp. Chattanooga, Tennessee	Chattanooga Creek	Pesticides	2/4/72	Leaky pipes were causing problem on property which washed spilled chemicals into creek. Company replaced leaky pipes and eliminated most of problem.
Velsicol Chemical Corp. Memphis, Tennessee	Mississippi River	Endrin and heptachlor	6/72	Commitment offer made in segments to cease discharge of heptachlor and endrin.
Ventron Corporation, Chemicals Division, Wood-Ridge, New Jersey	Tributary of Hackensack River	Mercury	7/22/71	Monitoring. Program cost of $62,000 to construct holding pond and improved treatment system; company's discharge reduced to about .02 lbs/day average.
Vermont Marble Company Proctor, Vermont		Oil	7/20/72	Oil spill contingency plan.
Virginia Chemical Co. Norfolk, Virginia	Elizabeth River	COD, suspended solids, heavy metals	8/18/72	Construction and operation of facilities to reduce loadings of COD and suspended solids, as well as heavy metals.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Virgin Islands Landfill, Virgin Islands	Atlantic Ocean	VI Department of Public Works bulldozes large quantities of raw and burning waste into Atlantic Ocean	9/6/72	Government of Virgin Islands has agreed to halt the procedure immediately and follow EPA guidelines for landfill operations.
Wampler Foods, Inc. Hinton, Virginia	North Fork Shenandoah River	BOD and suspended solids	9/13/72	Construct treatment facility to be operational by 1974.
Warren Brothers Co. Nashville, Tennessee	Cumberland River	Salts and silt	7/5/72	Company agreed to abate discharge.
Weld County Bi-Products	South Platte River	Organics	10/11/72	Total containment and recirculation. Solid waste hauled to farm.
White Fuel Corp. Boston, Massachusetts		Oil	9/29/72	Steps taken to prevent future spills.

Name and Location of Discharger	Receiving Water	Pollution Problem	Date ACL was Received	Results or Status
Wyckoff Company Winslow, Washington	Eagle Harbor, Wash.	Oil seepage from creosoting facility	4/26/72	Company taking remedial steps to assure minimum of seepage from their plant.
Wyckoff Steel Division of Amco Pittsburgh Corp. Ambridge, Pennsylvania	Ohio River	Excessive amounts of total dissolved solids, aluminum and chromium	9/18/72	Construction of facilities to be operational by 11/1/72.
Phillip Zinman & Co. Camden, New Jersey	Newton Creek (Tributary of Delaware River)	Refuse deposited on property in such a way that it could fall or be washed into waterway	4/26/72 9/1/72	Company has committed itself not to dump in this area. Company has spent $1,200 for cleanup.

REFUSE ACT CIVIL ACTIONS INITIATED BY JUSTICE-ASSISTANCE OF EPA

Table 5

Name & Location of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Alcolac Chemical Co. Ossining, New York	Hudson River	Chemical wastes	5/10/72	Consent order entered 5/10/72; EPA supplying technical assistance to the USA for the SDNY regarding compliance.
American Cyanamid Marietta, Ohio	Tributary of Ohio River	Acids	4/28/71	Stipulation entered 1/26/72.
Bayonne, New Jersey	Kill van Kull	Domestic sewage, industrial wastes	7/18/72	Complaint filed by USA for New Jersey on 7/18/72.
Beacon Piece Dyeing Co., Beacon, New York	Hudson River	Solids, BOD,COD	1/27/71	Consent decree entered 3/3/71; EPA supplying technical assistance to USA SDNY regarding compliance.
Burdette Oxygen Co., Cleveland, Ohio	Cuyahoga River	Lime slurry	12/17/71	Permanent injunction granted 1/20/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Ira S. Bushey & Sons, Inc. New York, New York	Lake Champlain	Oil-barge and tug discharge	9/13/71	Motion to dismiss denied.
Camp Smith, Peekskill, New York	Hudson River	Filling of marsh area	6/21/71	Consent order entered to cease marsh fill and remove fill material 6/21/71.
City Fuel, Haverhill, Massachusetts	Merrimack River	Oil	8/17/72	Filing of civil complaint and consent decree being considered.
Cowen & Shain, Inc. Haverhill, Massachusetts	Merrimack River	Bleach and dye wastes	12/3/71	A Consent decree is being negotiated.
Croton Point Refuse Landfill, Croton, New York	Hudson River	Leachate from landfill, garbage	5/10/72	Consent order signed 6/6/72.
E.I. DuPont de Nemours and Company East Chicago, Indiana	Grand Calumet River	Sulfates, chlorides	2/19/71	Consent decree entered 11/14/72.
Elk Piece Dye Works, Haverstraw, New York	Hudson River	BOD color	1/27/71	Consent order entered 1/27/71; amended 4/13/72; EPA rendered technical assistance to the USA for SDNY regarding compliance.

Name & Location of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Galveston Wharves, Texas	Galveston Ship Channel	Sulphur	12/11/70	Consent Decree entered
Gambel Island Feeders Payette Co., Idaho	Snake River	Cattle waste discharged from feedlot directly to navigable water, creating substantial human health problem.	9/1/72	Consent decree filed 9/12/72 provides for complete abatement from operation by 8/31/73. Company is "phasing out" its operation. Field inspections schedules for 3/73 and 9/1/73.
Gare, Inc., Haverhill, Massachusetts	Merrimack River	Solids	12/3/71	A Consent decree is being negotiated.
General Motors, Tarrytown, New York	Hudson River	Metals, COD	12/15/70	Consent decree entered 1/9/71; EPA supplying technical assistance to USA for the SDNY regarding compliance.
Gladieux Refinery, Inc. Fort Wayne, Indiana	Maumee River	Fuel oils	1/12/71	Consent decree signed 2/4/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Hamel Tanning Corp.	Merrimack River	Tanning wastes	12/3/71	A Consent decree is being negotiated.
City of Haverhill, Massachusetts	Merrimack River	Solids and industrial wastes	12/3/71	Consent decree signed 7/27/72 providing for construction and operation of secondary treatment facilities by 9/15/76.
Haverhill Paperboard, Inc., Haverhill, Massachusetts	Merrimack River	Paperboard waste	12/3/71	A Consent decree is being negotiated.
Hoboken, New Jersey	Hudson River	Domestic sewage, industrial wastes	7/18/72	Complaint filed by USA for New Jersey on 7/18/72.
Hoyt & Worthern Tanning Company, Haverhill, Massachusetts	Merrimack River	Tanning wastes	12/3/71	A Consent decree is being negotiated.
C.F. Jameson Co.,Inc. Haverhill, Massachusetts	Merrimack River	Shoe finish wastes	12/3/71	A Consent decree is being negotiated.
Jersey City, New Jersey	New York Harbor, Newark Bay	Domestic sewage, industrial wastes	7/18/72	Complaint filed by USA for New Jersey on 7/18/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Kay Fries Chemical Inc., Stoney Point, New York	Minisceongo Creek (Tributary of Hudson River)	Solids, BOD, COD	1/22/71	Consent decree entered 1/22/71; EPA rendering technical assistance to USA for the SDNY regarding compliance.
Kennebec Log-Driving Co., Winslow, Maine	Kennebec River	Bark and logs	3/19/71	Ruling on summary judgment pending.
King Industries, Inc. Norwalk, Connecticut	Norwalk Harbor	Chemical wastes	8/5/71	Action withdrawn 11/15/72 Industrial waste treatment facility built in accordance with Connecticut DEP plans and specifications.
Krabow Cheese, Wisconsin			11/71	
Leader Cheese Factory Reeseville, Wisconsin	Lau Creek	Cheese wastes	11/71	
Maplewood Poultry Maine	Penobscot Bay	Blood, fat and feathers	4/27/71	Consent decree entered 4/19/72 completed treatment 6/1/72 currently testing.

Name & Location Of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Marcal Paper Company Mechanic Falls, Maine	Little Androscoggin	Pulp and paper wastes	6/7/71	Consent decree entered 7/7/72. Providing for construction & operation of complete industrial waste treatment facility by 3/31/74.
Marcal Paper Mills South Hadley, Massachusetts	Connecticut River	Pulp and paper wastes	6/14/72	Consent Decree 10/2/72.
Marathon Battery Co., Inc., Cold Springs, New York	Hudson River	Cadmium, nickel deposits	9/25/70	Consent final judgment entered 1/20/71 enjoining further discharge. Consent final judgment signed 6/8/72 requiring defendants to remove most of cadmium-containing sediments in river.
Micro Fab Inc., Amesbury, Massachusetts	Merrimack River	Electroplating, & chemical wastes	3/28/72	A Consent decree is being negotiated.
National Rivit Waupun, Wisconsin			11/71	

Name & Location Of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
New York City, New York	Hudson River, New York Harbor, East River, Kill Van Kull, Jamaica Bay, Long Island Sound	Domestic sewage, industrial wastes	7/18/72	Case in pleading stage; City has filed answer.
North Bergen, New Jersey	Hudson River	Domestic sewage, industrial wastes	7/18/72	Complaint filed by USA for New Jersey on 7/18/72.
Oceana Terminal Corp., Bronx, New York	East River	Oil	4/24/70	Consent order entered to force company to clean up continuous oil discharge; EPA supplying technical assistance to USA SDNY regarding compliance of company.
Passaic Valley Sewerage Commissioners, Newark New Jersey	New York Harbor	Domestic sewage, industrial wastes	7/18/72	Case in pleading stage; defendant has filed answers and counterclaim.
Republic Steel Corp., Cleveland, Ohio	Cuyahoga River	Cyanide, sulfates	4/27/71	Negotiations continuing.
Standard Brands, Inc., Peekskill, New York	Hudson River	BOD	10/23/70	Consent order entered 1970. EPA technical assistance supplied USA for SDNY on several occasions regarding compliance of company.

Name & Location Of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Tanker Tamano USDC Maine	Casco Bay	#6 fuel oil	7/24/72	Action pending.
U.S. Steel Corporation Cleveland, Ohio	Cuyahoga River	Phenols and SS	4/28/71	Negotiations continuing.
U. S. Steel Corporation Gary, Indiana	Grand Calumet River	Phenols, cyanide	2/19/71	Negotiations continuing.
U.S. Steel Corporation Lorain, Ohio	Black River	Phenols and SS	4/28/71	Negotiations continuing.
United Transportation Co., Anacortes, Washington	Padilla Bay Guemes Channel-Puget Sound	Negligent discharge of 200,000 gals. diesel oil 4/26/71		Civil action filed to enjoin negligent oil transfer operations at refinery and to recover cost of government response to spill. Criminal action filed to recover penalty for violation of Refuse Act. Injunctive action was dismissed. On 12/18/72 refinery paid $16,000 to settle civil action and paid $2,500 penalty.
Ward Paper Company, Inc., Merrill, Wisconsin	Wisconsin River	Pulp & paper mill wastes	4/14/71	Negotiations continuing.

Name & Location of Discharger	Receiving Water	Pollution Problem	Case Filed On	Results or Status
Washburn Wire Co., New York, New York	East River	Acids, iron oxides	1/21/71	Consent decree entered limiting company's discharge 1/21/71; revised 3/14/72. EPA supplying technical assistance to USA SDNY regarding compliance.
Wausau Paper Mills Brokaw, Wisconsin	Wisconsin River	Pulp & paper mill wastes	4/14/71	Negotiations continuing.
West New York, New Jersey	Hudson River	Domestic sewage, industrial wastes	7/18/72	Complaint filed by USA for New Jersey on 7/18/72.
White Fuel Corp., Boston, Massachusetts	Boston Harbor	#2 fuel oil leaking from oil terminal and leaching from surrounding ground	6/72	7/6/72 filed civil action for injunctive relief: Company took corrective action and EPA received ACL 9/29/72.

REFUSE ACT CRIMINAL ACTIONS INITIATED BY JUSTICE - ASSISTANCE OF EPA

Table 6

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Acme Petroleum Co. Illinois	Unknown	Oil spill	Not available	Fined $500 10/14/71.
Allied Aviation Fueling Co., Minneapolis, Minnesota	Storm sewer to Minnesota River	Oil spill	4/15/71	Fined $1,000 as of 12/28/71.
Allied Chemical Corp. Garfield Heights, Ohio	Cuyahoga River Lake Erie	Industrial wastes	5/13/71 (Indictment)	Fined $750 11/22/71.
Ashland Oil HQ - Ashland, Kentucky	Monongahela River	Oil	7/13/71	Company pleaded nolo; fined $1,000.
Atlantic Richfield Co. East Chicago, Indiana	Indiana Harbor Canal	2 oil spills	6/22/71	Fined on 2 counts at $2,500 apiece 12/1/71.
Atlantic Richfield Co. Forest View, Illinois	Chicago Sanitary and Ship Canal	Oil spill	5/18/71	Probation for 6 months 2/3/72.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Bettinger Corp. Milford, Massachusetts	Blackstone River	Industrial wastes	4/24/71	2/24/72 Pleaded guilty; fined $500.
Blue River Dump, Kansas City, Missouri	Blue River		2/9/72	Case dropped.
U.S. v. Boyd USDC, WD, Washington #94-71D2	Salmon Bay Waterway -- Lake Washington Ship Canal -- tributary to Puget Sound	M/V MERCATOR discharged 30 gals. of diesel fuel into navigable water		Criminal action brought against Mr. Boyd for failure to report oil spill. Found guilty and sentenced to one year probation. Case under appeal in U.S. 9th Circuit Court, San Francisco.
Blaw-Knox Foundry & Mill, East Chicago, Indiana			Not available	
Buckley Bros., Inc. Bridgeport, Connecticut	Johnson Creek	Oil		Information filed 6/31/71. Pleaded nolo and fined $500, 7/15/71.
Bullard Company Bridgeport, Connecticut	Ash Creek	Oil	5/14/71	Indicted 5/14/71. Dismissed 12/12/71.
Cabot Titania, Inc. Ashtabula, Ohio	Field's Brook to Ashtabula River	Industrial wastes	5/13/71 (Indictment)	Pleaded nolo contendere and placed on probation for 1 year 4/24/72.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Ciba Geigy Chemical Corporation Cranston, Rhode Island	Pawtuxet River	Chemicals	7/13/72	Case continued for one year pending elimination of waste by-pass.
Cleveland Electric Illuminating Company Avon Lake, Lakeshore, Eastlake and Ashtabula, Ohio	Field's Brook to Ashtabula River	Fly ash	5/13/71 (Indictment)	Pleaded *nolo contendere* and fined $10,000 - fine suspended.
Connecticut Light & Power Company Hartford, Connecticut	Housatonic River	Oil	5/14/71	Information filed 5/14/71, 6/30/71 indicted; pleaded not guilty, found guilty; fined $500, court fees $267.00.
Consolidated Papers, Inc. Stevens Point, Wisconsin	Wisconsin River	SS discharge	4/14/71	Fined $1,000 10/21/71.
Consolidation Coal Mountaineer Division #93 mine	Pharoah Run (trib. Monongahela River)	Acid mine drainage	8/21/72	We filed brief against company's motion to dismiss on 12/1/72.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Cornell Paper Products, Co., Cornell, Wisconsin (now St. Regis Paper Company)	Chippewa River	Paper mill wastes	8/5/70	Fined $2,000 12/7/70.
Demert and Dougherty Stickney, Illinois	Chicago Sanitary and Ship Canal	Oil spill	4/5/71	Fined $500 4/20/71.
Diamond Rendering Co. Maspeth, New York	Newtown Creek	BOD	4/28/72	25-count indictment filed by USA for EDNY on 4/28/72.
Diamond-Shamrock Chemical Co. Ashtabula, Ohio	Field's Brook to Ashtabula River	Industrial wastes	5/13/71 (Indictment)	U.S. Attorney continuing negotiations.
Diamond-Shamrock Chemical Co. Painesville, Ohio	Lake Erie	Industrial wastes	5/13/71 (Indictment)	U.S. Attorney continuing negotiations.
Edmier, Inc. Cicero, Illinois	Chicago Sanitary and Ship Canal	Oil spill	5/18/71	Fined court costs and probation for 6 months 6/25/71.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Falls Dairy Co., Inc. Jim Falls, Wisconsin	Chippewa River	Milk wastes	8/5/70	Fined $1,500 12/19/70.
Galveston Wharves Galveston, Texas	Galveston Ship Channel	Sulphur	12/11/70	Consent Decree entered 1971.
General American Transportation Corp. Summit, Illinois	Chicago Sanitary and Ship Canal	Oil spill	5/18/71	Fined $1,000 9/30/71.
Genoa Coop Creamery Co. Genoa, Wisconsin	Mississippi River	Raw milk wastes	4/14/71	Fined $1,000 2/2/72.
Georgia Pacific a/k/a Will County Printing Office, Illinois	Des Plaines River	Oil spill	5/18/71	Fined $2,500 5/28/71.
Granite State Packing Manchester, New Hampshire	Municipal sewer to Mernwack River	Blood, feces	2/72	Found guilty 6/14/72; fined $1,500; Appeal was denied.
Handy & Harmon, Inc. Fairfield, Connecticut	Turney Creek	Oil	----	Pleaded *nolo*; fined $750 9/28/71.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Hannah Inland Waterways Corp., Illinois	Unknown	Oil spill	Not available	Fined $500 7/27/71.
Hercules, Inc. Desoto, Kansas	Kill Creek, Kansas River	Ammonia spill	Information filed 7/1/71	Arraignment and *nolo* plea-12/15/71. $2,500 fine same day
Indiana Harbor Belt Railroad Chicago, Illinois	Chicago Sanitary and Ship Canal	Oil spill	4/5/71	Fined $500 4/21/71.
Industrial Rayon Corp. Painesville, Ohio	Lake Erie/ Grand River	Industrial wastes	5/13/71 (Indictment)	U.S. Attorney continuing negotiations.
Ingram Corporation Illinois	Unknown	Oil spill	Not available	Fined $1,000 7/12/71.
Inland Steel Company East Chicago, Indiana	Indiana Harbor Canal	Industrial wastes	6/7/71	Pleaded *nolo contendere* and fined 2/72.
Johns-Manville Co., Los Angeles, California	Dominquez Channel	Industrial solids	2/2/72	Guilty plea on 2 counts; fined $1,000 on 3/6/72.
Jones & Laughlin - 2 Plants		Industrial Wastes	4/6/71	

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Kennebec River Pulp and Paper Madison, Maine	Kennebec River	Pulp and paper wastes	6/72	Indicted 6/72.
Koppers Co. Follansbee, West Virginia	Ohio River	Phenols	5/7/71	Still in negotiation stage; working on consent decree.
Lake River Terminals, Inc., Berwyn, Illinois	Chicago Sanitary and Ship Canal	Oil spill	5/18/71	Fined court costs and probation for 6 months 6/24/71.
Metropolitan Airports Commission Minneapolis, Minnesota	Storm sewer to Minnesota River	Oil spill	4/15/71	Fined $1,000 as of 12/28/71.
Midland Glass Co. Shakopee, Minnesota	Minnesota River	Industrial wastes	11/16/71	Fined $500 12/13/71.
National Marine Services, Inc., Hartford, Illinois	Mississippi River	Oil spill	not available	Fined $500 7/9/71.
National Steel Co. Weirton, West Virginia	Ohio River	Phenols	5/7/71	Still in negotiation stage; working on consent decree.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
J. J. O'Donnell Grafton, Massachusetts	Blackstone River	Soaps and dyes	4/24/71	Industrial waste corporation and its President fined $2500 - 11/71.
Olin Corp. Ashtabula, Ohio	Field's Brook to Ashtabula River	Industrial wastes	5/13/71 (Indictment)	U.S. Attorney continuing negotiations.
Picco Pittsburgh, Pennsylvania	Allegheny River	Industrial wastes	4/6/71	Under Supreme Court review
Pinkas-Fisher Maspeth, New York	Newtown Creek	BOD	4/28/72	25-count indictment filed by USA for EDNY on 4/28/72.
Poultry Processing, Inc. Belfast, Maine	Penobscot Bay	Offal	12/70	Pleaded no contest 3/28/71; Fined $2500; New treatment system installed.
Raybestos-Manhattan, Inc. Stratford, Connecticut	Ferry Creek	Oil		Pleaded nolo; fined $750 9/28/71.
Rencoa Maspeth, New York	Newtown Creek	BOD	4/28/72	25-count indictment filed by USA for EDNY on 4/28/72.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Seven-Up Bottling Co. St. Cloud, Minnesota	Mississippi River	Industrial wastes	11/16/71	Fined $500 1/3/72.
Tilo Company Stratford, Connecticut	Tanners Creek	Oil		Pleaded *nolo*; fined $500 10/21/71.
Tobin Packing Co., Albany, New York	Hudson River	BOD, oil and grease, salmonella bacteria	8/29/72	50-count indictment filed by USA for the NDNY 8/29/72.
Uniroyal, Inc. Painesville, Ohio	Grand River	Industrial wastes	5/13/71 (Indictment)	U.S. Attorney continuing negotiations.
U.S. Steel Clairton, Pennsylvania 6 Plants in Pittsburgh Area.	Monongahela	Coal, tar	4/6/71	Company pleaded *nolo*; fined $2500.
U.S. v. *Weyerhaeuser Co*.	Snohomish River	Discharge of oil into water environment	4/6/72	2 counts of unlawful discharge and 2 counts of failure to notify, resulting in conviction and fine of $7,000.

Name and Location of Company	Receiving Water	Pollution Problem	Date Filed	Results or Status
Wheeling-Pittsburgh Steel Follansbee, West Virginia	Ohio River	Phenols	5/7/71	Still in negotiation stage; working on consent decree.
Wheeling-Pittsburgh Steel Monessen Plant, Pennsylvania			4/6/71	
Wisconsin Dairies Coop., Inc. Union Center, Wisconsin	Baraboo River	Raw milk wastes	4/14/71	Fined $750 7/29/71.
Youngstown Sheet & Tube Co. East Chicago, Indiana			Not available	

FWPCA SECTION 10(g) CIVIL ACTIONS REFERRED TO JUSTICE

Table 7

Name and Location of Discharger	Receiving Water	Pollution Problem	Date Referred	Results or Status
City of Kansas City, Kansas	Kansas and Missouri Rivers	Municipal wastes	6/1/72	Civil suit filed 10/6/72; decision pending.
Kingsbury General Improvement District Tahoe-Douglas County, Nevada	Lake Tahoe	Municipal wastes	6/21/72	Civil suit filed 9/12/72; decision pending.
Reserve Mining Company Silver Bay, Minnesota	Lake Superior	Taconite tailings	1/20/72	Civil suit filed 2/17/72 - includes counts under Refuse Act and Federal common law nuisance.
Whiting, City of, et.al. Indiana	Lake Michigan	Municipal wastes	9/1/72	Civil suit filed 9/11/72 - filed jointly with State-Federal counts under section 10(g) and Federal common law nuisance.

180-DAY NOTICES - FWPCA SECTION 10(c)(5)

Table 8

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Alaska Ice & Storage, Inc., Alaska (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Alaska Packers Assn., Alaska (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Alton Box Board Company Lafayette Mill Lafayette, Indiana	Wabash River	Pulp and paper wastes	1/28/72	Informal hearing 3/1/72. Notice expired 7/26/72. Agreement reached - Company connected to city
American Can Company Green Bay Mill Green Bay, Wisconsin	Fox River to Green Bay/Lake Michigan	Pulp and paper wastes	5/9/72	Informal hearing 6/20/72. Notice expired 11/5/72. Agreement reached - Company to connect to Green Bay Metropolitan Sewerage District by 3/75.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Amstar Philadelphia, Pennsylvania	Delaware River	BOD	2/1/72	9/28 it was recommended to HQ that this case be referred to U.S. Attorney for civil relief under Refuse Act.
Appleton, City of Wisconsin	Fox River	Municipal wastes	10/5/72	Informal hearing 11/28/72. Notice expires 4/3/73. Follow-up meetings being held.
Ashland Oil & Refining Company Ashland, Kentucky	Big Sandy River	Phenols	6/22/71	Informal hearings 8/6 and 9/22/71. Although agreement reached on a construction schedule calling for completion by 11/74, no agreement yet on effluent limitation for phenols awaiting performance of new treatment plant.
City of Atlanta, Georgia	Chattahoochee River	Municipal wastes	12/9/70	Informal hearing 1/2/71 - three plants ordered to complete construction by 4/73. On schedule.
Avalon Sewerage Authority, Borough of Avalon, New Jersey	Great Sound (Atlantic Ocean)	Municipal wastes	9/12/72	Informal hearing pending.
Borough of Avon-by-the Sea, New Jersey	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
B & B Fisheries, Inc. Alaska (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Basic Management, Inc. Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72. Abate. commit. 5/25/72 to treat municipal wastes and 8/01/72 to curtail influent to seeping ponds by 12/31/74 halt it by 12/31/75.
City of Bayonne, New Jersey	Kill Van Kull	Municipal wastes	8/11/72	Informal hearing - 9/12/72.
Bemis Co., Inc. East Pepperell, Massachusetts	Nashua River (Merrimack)	Ink and glue waste discharged	4/6/71	6/3/71 informal hearing. Will connect to municipal facility 10/20/71 - Hearing
Bergstrom Paper Company Neenah, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Bogalusa, Louisiana	Pearl River	Discharge of inadequately treated sewage.	7/21/71	Bond Election Passed 4/25/72. Project Schedule: Plans & Specs. 5/16/72 - 1/31/73 EPA Review - 2/1/73-2/14/73 Advertise, Receive & Analyze Bids - 2/15/73 - 3/31/73 Award Contract - 4/1/73 Construction - 4/1/73 - 12/31/74 Est. Cost - $7,600,000 All interim dates are being met; grants have been received.
Borough of Bradley Beach, New Jersey (Evergreen Avenue Plant)	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.
Borough of Bradley Beach, New Jersey (Ocean Park Avenue Plant)	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.
Brown Paper Company Castleton-on-Hudson, New York	Moordener Kill (tributary of Hudson River)	Industrial wastes	12/23/71	Informal hearing - 2/17/72. Abatement schedule calls for initiation of construction by January 1, 1973.
Charmin Paper Products Company, Fox River Mill, Green Bay, Wisconsin	Fox River to Green Bay/Lake Michigan	Pulp and paper wastes	5/9/72	Informal hearing 6/20/72. Notice expired 11/5/72. Agreement reached- Company (cont'd)

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
(cont'd) Charmin Paper Products Company, Fox River Mill, Green Bay, Wisconsin				to connect to Green Bay Metropolitan Sewerage District by 3/75.
Cities Service Corp. Copperhill, Tennessee	Ocoee River	Acid mine drainage & silt	9/29/72	Informal hearing 11/15/72. Next scheduled compliance date - 6 months hence.
City of Chicopee Chicopee, Massachusetts	Connecticut River	Discharge untreated sewage	4/6/71	Unsatisfactory progress-but is in compliance with State Order; completion of all facilities by 12/19/74
Clark County Sanitation District, Las Vegas, Nevada	Las Vegas Wash	Municipal wastes	12/23/71	Informal hearing, 1/25/72. Abate. commit. letter 5/26/72; completion of treat and disposal facilities by 12/31/75.
Cleveland, City of Ohio	Cuyahoga River	Municipal wastes	12/9/70	Informal hearing 1/28/71. Notice expired 6/7/71. Agreement reached - resulting in creation of Cleveland Regional Sewer District as a regional solution.
30 Cleveland Suburbs Ohio	Cuyahoga River and Lake Erie	Municipal wastes to City of Cleveland System	8/9/71	Informal hearing 9/24/71. Agreement reached - resulting in creation of

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
(cont'd) 30 Cleveland Suburbs Ohio				Cleveland Regional Sewer District as a regional solution.
Columbia Ward Fisheries Alaska (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Consolidated Papers, Inc. Appleton, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/28/72. Notice expires 4/3/73. Follow-up meetings being held.
Covington, City of Indiana	Wabash River	Municipal wastes	11/3/71	Informal hearing 1/5/72. Notice expired 4/9/72. No agreement reached. State filed civil suit-EPA supporting.
Crucible Steel Corporation, Geddes, New York	Lake Onondaga	Industrial wastes	6/26/72	Informal hearing - 8/22/72. Abatement schedule currently calls for completion of construction of facilities by December 31, 1974.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Cuyahoga County Sewer District #6 Rocky River, Ohio	Lake Erie	Municipal wastes	9/18/73	Informal hearing 10/31/72. Notice expires 3/17/73. Follow-up meetings being held and construction underway.
Detroit, City of Michigan	Detroit River	Municipal wastes	12/9/70	Informal hearing 2/1/71. Notice expired 6/7/71. Agreement reached - necessary treatment to be provided in stages by 1976.
City of Dunkirk, New York	Lake Erie	Municipal wastes	10/22/71	Informal hearing - 12/1/71. Abatement schedule currently calls for completion of construction by September 1974.
Eastlake, City of Ohio	Lake Erie	Municipal wastes	7/30/71	Informal hearing 9/9/71. Notice expired 1/_7/72. Agreement reached - secondary treatment to be completed by 8/3/73.
Eastpoint Seafood Co., Alaska (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
East Side Levee and Sanitary District East St. Louis, Illinois	Mississippi River	Municipal wastes and heavy industrial wastes	10/13/72	Informal hearing 12/6/72. Notice expires 4/11/73. Follow-up meetings being held.
East St. Louis, City of Illinois	Mississippi River	Municipal wastes and industrial packing house wastes.	10/13/72	Informal hearing 12/7/72. Notice expires 4/11/73. Follow-up meetings being held.
E. Cummings Leather Co., Inc., Lebanon, New Hampshire	Mascona River (Connecticut River)	Tanning wastes	6/2/72	Informal hearing held 6/29/72.
Borough of Edgewater, New Jersey	Hudson River	Municipal wastes	8/11/72	Informal hearing - 9/6/72.
Euclid, City of Ohio	Lake Erie	Municipal wastes	7/30/71	Informal hearing 9/9/71. Notice expired 1/27/72. Agreement reached - clean-up program underway with 8/31/73 completion date.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Flintkote Co., U.S. Lime Div., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr., 5/26/72 discharge to halt by 1/31/73
FMC Marcus Hook, Pennsylvania	Delaware River	COD pH	2/1/72	9/28/72 recommended to U.S. Attorney civil relief under the Refuse Act.
Franklin, New Hampshire	Winnipesaukee River	Inadequately treated sewage	8/20/71	10/19/71 hearing. City to tie-in to regional facility.
GAF Corporation Linden, New Jersey	Arthur Kill	Industrial wastes	5/19/70	Informal hearing - 6/23/70. Complete agreement reached at informal hearing. Mercury discharge has been reduced and is being maintained at satisfactory level.
GAF Corporation, Paper Mill, Gloucester City, New Jersey	Delaware River	Industrial wastes	2/9/72	Informal hearing - 3/22/72. By letter of April 10, 1972, GAF has agreed to close waste water system by August 1, 1973.
Garland, City of Utah	Malad River	Organic and bacterial violations of stream standards	2/4/72	Issued 2/4/72; hearing 3/7/72; preliminary planning completed.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Gary Sanitary District Gary, Indiana	Grand Calumet and Little Calumet	Municipal wastes	7/27/72	Informal hearing 9/7/72. Notice expires 1/24/73. Follow-up meetings being held.
W. R. Grace Co. Owensboro, Kentucky	Ohio River	Paper and chemical waste	6/29/72	Informal hearing 8/1/72. Treatability study submitted 10/1/72. On schedule.
Granite City Illinois	Mississippi River	Municipal wastes and heavy industrial steel wastes	10/13/72	Informal hearing 12/7/72. Notice expires 4/11/72. Follow-up meetings being held.
Great Western Sugar Co. Greeley, Colorado	South Platte River	Organic and bacterial violations of stream standards	2/14/72	Issued 2/14/72; hearing 3/28/72; closed flume system in operation.
Great Western Sugar Co. Ovid, Colorado	South Platte River	Organic and bacterial violations of stream standards	2/14/72	Issued 2/14/72; hearing 3/29/72; closed flume system in operation.
Great Western Sugar Co. Nebraska - 4 company plants at Gering, Scottsbluff, Bayard, and Mitchell, Nebraska	North Platte River	Industrial wastes	4/27/72	Completed treatment facilities Oct. 1972 at Gering and Scottsbluff plants. Bayard and Mitchell to be completed 10/73.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Green Bay Metropolitan Sewerage District Green Bay, Wisconsin	Fox River to Green Bay/Lake Michigan	Municipal wastes	5/9/72	Informal hearing 6/20/72. Agreement reached-clean-up program to be completed by 3/75.
Hammond, City of Hammond Sanitary District, Indiana	Grand Calumet and Little Calumet River	Municipal wastes	10/12/71	Informal hearing 12/1/71. Agreement reached-necessary treatment facilities to be completed by 2/75.
Henderson, Kentucky	Ohio River	Municipal wastes	6/26/72	Informal hearing 8/1/72. Preliminary plans and specifications submitted to State 11/1/72. On schedule.
Henderson, City of Henderson, Nevada	Las Vegas Wash	Municipal wastes	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr. 6/6/72; completion of treatment and disposal facilities by 12/31/75.
City of Hoboken, New Jersey	Hudson River	Muncipal wastes	8/11/72	Informal hearing - 9/12/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Holly Sugar Co. Torrington, Wyoming	North Platte River	Industrial waste	6/15/71	Completed treatment facilities October 1971.
Hudson, City of South Dakota	Big Sioux River	Organic and bacterial violations of stream standards	3/17/72	Issued 3/17/72; hearing 4/18/72; applied for a construction grant.
Hurley, City of Wisconsin	Lake Superior	Municipal wastes	9/30/71	Informal hearing 11/18/71. Notice expired 3/28/72. Agreement reached - secondary treatment facilities to be completed by 6/15/74.
Interlake Steel Corporation, Toledo, Ohio	Maumee River	Steel wastes	8/30/69	Informal hearing 10/9/69. Notice expired 2/26/70. Agreement reached - satisfactory clean-up
Jersey City Sewerage Authority, New Jersey (East Side Plant)	Hudson River	Municipal wastes	8/11/72	Informal hearing 9/7/72.
Jersey City Sewerage Authority, New Jersey (West Side Plant)	Newark Bay	Municipal wastes	8/11/72	Informal hearing - 9/7/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Jones and Laughlin Steel Corporation Cleveland, Ohio	Cuyahoga River	Steel wastes	8/30/69	Informal hearing 10/8/69. Notice expired 2/26/70. Refuse Act Civil suit filed 12/17/70. Consent decree 12/16/71.
Jones Chemical, Inc., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72 - EPA on-site visit 4/27/72 confirmed discharge eliminated.
Town of Kearny, New Jersey	Newark Bay	Municipal wastes	8/11/72	Informal hearing - 9/7/72.
Kerr-McGee Chemical Co., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr. 5/26/72; no discharge by 12/21/74.
Kimberly-Clark Corporation, Badger Globe Mill Neenah, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Kimberly-Clark Corporation, Lakeview Mill Neenah, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Kimberly-Clark Corporation Neenah Paper Mill Division Neenah, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
King Crab, Inc. Alaska (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (Seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Kingsbury General Improvement District, Nevada	Lake Tahoe	Municipal wastes	11/09/71	Informal hearing, 1/06/72. To U.S. Attorney for pros. under Sec. 10(g) of FWPCA, 6/21/72. Suit filed 9/12/72 against District & Douglas County seeking building moratorium; decision pending.
Kinnear and Wendt, Inc. (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Knoxville, Tennessee	Tennessee River	Municipal wastes	8/10/72	Informal hearing 9/7/72. Preliminary plans and specifications due 2/1/73.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Las Vegas, City of Las Vegas, Nevada	Las Vegas Wash	Municipal wastes	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr. 6/07/72; completion of treat. and disposal facilities by 12/31/75.
Las Vegas Valley Water District, Las Vegas, Nevada	Las Vegas Wash	Cooling Tower Blowdown	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr. 6/01/72; completion of treat. and disposal facilities by 12/31/75.
Lebanon, New Hampshire	Mascona River (St. Croix)	Untreated sewage	6/1/72	Informal hearing held 6/29/7 Abatement program approved.
Logansport, City of Indiana	Wabash River	Municipal wastes	11/3/71	Informal hearing 12/14/71. Notice expired 4/9/72. No agreement reached - State filed Civil suit - EPA supporting.
Mead Corporation Gilbert Paper Company Menasha, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Menasha, City of Wisconsin	Fox River	Municipal wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Menasha Corporation John Strange Paper Co. Menasha, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Middle Township Sewerage District #1 Cape May Court House New Jersey	Crooked Brook (a tributary of Hereford Inlet)	Municipal wastes	9/12/72	Informal hearing pending.
Montezuma, Town of Indiana	Wabash River	Municipal wastes	11/3/71	Informal hearing 1/5/72. Notice expired 4/9/72. Agreement reached--Town ceased discharges causing violation.
City of Montpelier Idaho	Bear River	Municipal waste treatment facility has primary treatment only; needs secondary	5/17/72	Notice given. Public meeting held. Compliance letter received.
Montrose Chemical Co. Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing 1/25/72. Abate. commit. ltr. 5/31/72; plant modifications, treat., disposal by 12/31/74.
Natchez, Mississippi	Mississippi River	Municipal wastes	6/12/72	Informal hearing 7/26/72. Plans and spec. due 9/1/72. Constr. to begin 10/30/72; begin operation by 3/14/72. Two months behind schedule.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
National Sugar Philadelphia, Pennsylvania	Delaware River	Filter backwash and boiler blowdown - BOD	2/1/72	9/28/72 recommended to HQ that this case be referred to U.S. Attorney for civil relief under Refuse Act.
Neenah, City of Wisconsin	Fox River	Municipal wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Neenah-Menasha Sewerage Commission Menasha, Wisconsin	Fox River	Municipal wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Borough of Neptune City, New Jersey	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.
Borough of Neptune Township, New Jersey (Old Arlies Avenue #1 Plant)	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.
Borough of Neptune Township, New Jersey (Pennsylvania Avenue Plant)	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Nevada Power Co., Las Vegas, Nevada	Las Vegas Wash	Cooling Tower Blowdown	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr., 9/14/72 tie-in to require treat. and disposal system by 12/31/75 or construct own by 12/31/74.
Nevada Sand and Gravel Co., Las Vegas, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72. EPA on-site visit 4/27/72 confirmed discharge eliminated.
New England Fish Co. (Gibson Grove Plant) (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (Seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible
New England Fish Co. Marine Way Plant (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
New Orleans, Louisiana	Mississippi River	Discharge of raw and untreated sewage	5/19/72	City Council passed resolution assuring local funding necessary for improvements. Project schedule: Contract for test piles before 12/31/72. Contract for Pile Driving before 2/20/73. Contract for remaining construction work before 7/30/73. Completion of project before 12/31/75. Est. cost test piles and pile driving - $3,050,000. Construction is underway. Satisfactory progress is being made, and all interim dates have been met.
New York City New York	New York Bay, Hudson River, East River, Atlantic Ocean, Jamaica Bay, Kill Van Kull, Harlem River, Arthur Kill	Municipal wastes	7/17/72	Informal hearing - 8/29/72.
Township of North Bergen, New Jersey	Hudson River	Municipal wastes	8/11/72	Informal hearing - 9/13/72.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Pan Alaska Fisheries (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date Situation to be handled by issuance of permits as soon as possible.
Passaic Valley Sewerage Commissioners	New York Bay	Municipal wastes	7/17/72	Informal hearing - 8/14/72
Patrician Paper Company South Glens Falls New York	Hudson River	Industrial wastes	12/23/71	Informal hearing - 2/15/72 Construction of treatment facility to be completed by January 1, 1973. Three-month delay caused by Hurricane Agnes.
City of Paul, Idaho	Snake River	Municipal waste treatment facility has primary treatment only; needs secondary	5/17/72	Notice given. Public meeting held. Compliance letter received.
Penn Central Transportation Corporation Harmon, New York	Hudson River	Industrial wastes	5/19/70	Informal hearing - 6/23/70. Complete agreement reached at hearing. The oil losses to the Hudson River have ceased. Surveillance being maintained.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Northern Processors (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date Situation to be handled by issuance of permits as soon as possible.
North Pacific Processors (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
City of North Wildwood New Jersey	Hereford Inlet	Municipal wastes	9/12/72	Informal hearing pending.
Ocean City, New Jersey	Great Egg Harbor Bay	Municipal wastes	9/12/72	Informal hearing pending.
Ocean Grove Camp, Meeting Association of the Methodist Church, Ocean Grove, New Jersey	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Northern Processors (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date Situation to be handled by issuance of permits as soon as possible.
North Pacific Processors (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
City of North Wildwood New Jersey	Hereford Inlet	Municipal wastes	9/12/72	Informal hearing pending.
Ocean City, New Jersey	Great Egg Harbor Bay	Municipal wastes	9/12/72	Informal hearing pending.
Ocean Grove Camp, Meeting Association of the Methodist Church, Ocean Grove, New Jersey	Atlantic Ocean	Municipal wastes	9/12/72	Informal hearing pending.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Pepperell Paper Co. Pepperell, Massachusetts	Nashua River (Merrimack)	Pulp and paper wastes	4/6/71	6/3/71 informal hearing; 10/20/71 hearing. Final plans 12/1/71; completion 2/73. Proceeding with construction of treatment facility.
Town of Pepperell, Massachusetts	Nashua River	Discharge untreated sewage	4/6/71	Unsatisfactory progress - 1/5/72 - Federal Court action approved by Headquarters no action pending, reviewed state court action 6/3/71 informal hearing; 10/20/71 formal hearing; proceeding with construction of treatment facilities.
Piels Brothers, Inc. Chicopee, Massachusetts	Connecticut River	Discharge untreated sewage	4/6/71	7/21/71 signed tie-in agreement with city, installed pre-treatment facilities.
PPG Industries, Incorporated, Ponce, Puerto Rico	Guayanilla River	Industrial wastes	10/16/72	Informal hearing pending.
City of Priest River Idaho	Pond Creille River	Municipal waste treatment facility has primary treatment only: needs secondary.	5/17/72	Notice given. Public meeting held. No acceptable commitment letter received. Recommended action to Headquarters negated by passage of new Water Bill.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Republic Steel Corporation, Cleveland, Ohio	Cuyahoga River	Steel wastes	8/30/69	Informal hearing 10/7/69. Notice expired 2/26/70. Refuse Act Civil suit filed 12/70– now negotiating for consent decree.
Reserve Mining Company Silver Bay, Minnesota	Lake Superior	Taconite Mining wastes	4/28/71	Informal hearing - 6/31/71. Notice expired 10/15/71. Civil suit filed 2/17/72.
Riegel Paper Company Milford, New Jersey	Delaware River	Industrial wastes	3/6/72	Informal hearing - 5/31/72. By letter of June 23, 1972, company has committed itself to completion of secondary treatment facility by December 31, 1973.
Riverside Paper Company Appleton, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/28/72. Notice expires 4/3/73. Follow-up meetings being held.
Riverview, City of Michigan	Trenton Channel of Detroit River	Municipal wastes	8/29/72	Informal hearing 10/17/72. Notice expires 2/26/73. Follow-up meetings being held

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Roxanne Fisheries, Inc. (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date Situation to be handled by issuance of permits as soon as possible.
City of Sandpoint, Idaho	Pond Creille River	Municipal waste treatment facility has primary treatment only; needs secondary	5/17/72	Notice given. Public meeting held. Compliance letter received.
Santa Fe Land Improvement Co. Kansas City, Kansas	Kansas River	Industrial wastes	6/1/71	Connected to Kansas City, Kansas system 6/27/72.
Sauget, Village of Illinois	Mississippi River	Heavy concentration of chemical wastes	10/13/72	Informal hearing 12/6/72. Notice expires 4/11/72. Follow-up meetings being held.
Sea Isle City New Jersey	Ludlam's Thorofare	Municipal wastes	9/12/72	Informal hearing pending.
Sheboygan, City of Wisconsin	Lake Michigan	Municipal wastes	5/9/72	Informal hearing 6/21/72. Notice expired 11/5/72. Agreement reached - City to provide necessary treatment by 3/31/76.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Stamford & Darien, Cities of, Connecticut	Long Island Sound	Inadequately treated sewage	7/16/71	9/3/71 - hearing.
State Stove & Manufacturing Co., Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing. 1/25/72. Abate. ltr., 6/8/72; no discharge by 6/1/74.
Stauffer Chemical Co. Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr., 5/31/72 plant modifications, treat., disposal by 12/31/74.
Borough of Stone Harbor New Jersey	Great Channel	Municipal wastes	9/12/72	Informal hearing pending.
Sun Oil - SunOlin Marcus Hook, Pennsylvania	Delaware River	Heavy metals, phenols, oil and grease	2/1/72	Sun Oil and SunOlin have reaffirmed their decision to participate in the DELCORA facility - meanwhile companies are proceeding with interim plans which we have approved.
Superior, City of Wisconsin	Lake Superior	Municipal wastes	9/30/71	Informal hearing 11/17/71. Notice expired 3/28/72. Agreement reached - City to provide adequate treatment facility by 3/74.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Superior Fiber Products, Inc., Superior, Wisconsin	Lake Superior	Pulp and paper wastes	9/30/71	Informal hearing 11/17/71. Notice expired 3/28/72. Agreement reached - Company to provide necessary treatment by 12/74.
Tahoe-Douglas District Nevada	Lake Tahoe	Municipal wastes	11/9/71	Informal hearing, 1/6/72. To U.S. Attorney for pros. under Sec. 10(g) of FWPCA, 6/21/72. Suit filed 9/12/72 against District and Douglas County seeking building moratorium; decision pending.
Titanium Metals Corp. of America Henderson, Nevada	Las Vegas Wash	Nutrients and total dissolved solids	12/23/71	Informal hearing, 1/25/72. Abate. commit. ltr., 8/7/72; tie-in to reg. treat. and disposal system by 12/31/75 or construct own by 12/31/74.
Toledo, City of Ohio	Maumee River	Municipal wastes	8/30/69	Informal hearing 10/9/69. Notice expired 2/26/70. Agreement reached - treatment facilities substantially completed 6/72.
Tremonton, City of Utah	Malad River	Organic and bacterial violations of stream standards	2/4/72	Issued 2/4/72; hearing 3/7/72; implementation plan-have new facility in operation by 12/31/73; preliminary planning completed.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Ursin Seafoods (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible
U.S. Steel Corporation Cleveland, Ohio	Cuyahoga River	Steel wastes	8/30/69	Informal hearing 10/7/69. Notice expired 2/26/70. Refuse Act Civil suit filed 5/14/71 - now negotiating for consent decree.
Vincennes, City of Indiana	Wabash River	Municipal wastes	9/3/71	Informal hearing 12/1/71. Notice expired 4/9/72. Agreement reached - completion of secondary treatment facilities by 7/30/73 - dependent on financing.
Wayne County - Wyandotte Plant Michigan	Trenton Channel of Detroit River	Municipal wastes	8/29/72	Informal hearing 10/17/72. Notice expires 2/26/73. Follow-up meetings being held.
West Point Kentucky	Ohio River	Municipal wastes	6/26/72	Informal hearing 8/2/72. Preliminary engineering report submitted to State 11/15/72. On schedule.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
West New York, Town of New Jersey	Hudson River	Municipal wastes	8/11/72	Informal hearing - 9/6/72.
Whiting, City of Indiana	Lake Michigan	Municipal wastes	10/12/71	Informal hearing 12/1/71. Notice expired 4/9/72. Civil suit filed 9/11/72.
Whiting Paper Company, George A. Menasha, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Whitney Fidalgo Seafoods (Kodiak Harbor)	St. Paul Harbor	Raw industrial wastes (seafood leavings)	8/2/72	Notice given. Public meeting held. No acceptable commitment received to date. Situation to be handled by issuance of permits as soon as possible.
Wildwood, City of New Jersey	Grassy Sound	Municipal wastes	9/12/72	Informal hearing pending.
Wildwood Crest, Borough of New Jersey	Richardson Sound	Municipal wastes	9/12/72	Informal hearing pending.

Name & Location of Discharger	Receiving Water	Pollution Problem	Date of Letter	Results or Status
Willoughby, City of Ohio	Lake Erie	Municipal wastes	7/30/71	Informal hearing 9/9/71. Notice expired 1/27/72. Agreement reached - secondary treatment to be completed by 8/3/73.
Wisconsin Tissue Mills Menasha, Wisconsin	Fox River	Pulp and paper wastes	10/5/72	Informal hearing 11/29/72. Notice expires 4/3/73. Follow-up meetings being held.
Yazoo City, Mississippi	Yazoo River	Municipal wastes	6/12/72	Informal hearing 7/27/72. Plans and specifications due 9/1/72, construction to begin 11/15/72, begin operation 11/15/73. Plans approved, construction due to begin.

SECTION 11 of the FWPCA ACTIONS 12/3/70 to PRESENT

Table 9

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Allied Chemical Baton Rouge, La.	Bayou Braud to Mississippi River	Oil spill	USCG	3/15/72	CG referred to U.S. Atty for Refuse Act. No action to date.
Otis Ainsworth Yazoo County, Mississippi	Big Black River	Oil	USCG	3/15/72	Civil penalty assessed.
H. E. Applegate Supt. for Tri-State District, Sohio Pipeline Company, Inc. Cormi, Illinois	French Creek to Wabash River	Failure to notify of an oil spill	U.S. Attorney	8/14/72	Under review in U.S. Attorney's office.
Baltimore & Ohio RR Pittsburgh, Pa.	Monongahela River	Diesel fuel	U.S. Attorney	9/29/72	Case filed 10/4/72.
Barrows Coal, Inc. & Henry Merrill Brattleboro, Vermont	Connecticut River	Oil	U.S. Attorney	1/12/72	Pleaded guilty 3/13/72; fined $250.

NOTE: Oil liability provisions now found in section 311 of Federal Water Pollution Control Act, as amended by PL 92-500.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Berks Associates, Inc. Douglassville, Pa.	Schuylkill River	Oil spill - test case on oil spill due to erosion	U.S. Attorney	12/71	11/18/70 Civil complaint 12/3/70 Court decree - immediate injunctive relief. 11/71 complaint filed for recovery of clean-up costs $200,000 pending.
C. E. Bell, Plant Mgr. Marathon Pipeline Co. Birds, Illinois	Enbanos River	Crude oil	U.S. Attorney	12/71	Case filed.
B & R Transport Company Rutherfordton, N. C.	Broad River	Oil	USCG U.S. Attorney	9/29/72 9/29/72	Under review by U.S. Atty; CG has requested further information.
Wayne Bannister, Foreman Sandacres, Inc. Woodacres Farm Seymour, Indiana	Muscatatuck River	Failure to notify of an oil spill	U.S. Attorney	3/10/72	Case filed 5/1/72. Dismissed from court 5/19/72.
Carolina Mill #4 Newton, N. C.	South Fork Catawba River	Oil	U.S. Attorney	3/15/72	Case filed 4/5/72. Fined $500 or plea of nolo contendere and finding of guilty 9/25/72.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
City Fuel, Inc. Manchester, N. H.	Merrimack River	Oil spill	U.S. Attorney	8/17/72	Pending action.
Colonial Pipeline Co. Beaumont, Texas		Oil		12/9/71	Case filed.
Colt Industries Crucible, Inc. Spring Division Pittsburgh, Pa.	Allegheny River	Quenching oil	U.S. Attorney	9/27/72	U.S. Atty declined to institute criminal prosecution.
Crispin Company Houston, Texas	Mississippi River	Oil	U.S. Attorney	1/31/72	Case filed.
Crispin Company George Farenthold Houston, Texas	Mississippi River	Crude oil	U.S. Attorney	1/31/72	Lost, rereferred on 9/25/72.
Crown Central Petroleum	Houston Ship Channel	Crude oil	USCG	2/29/72	No action taken to date.
Fenner, Stewart D. Executive V.P., Petroleum Specialties, Inc. Flat Rock, Michigan	Smith Creek to Huron River	Failure to notify of an oil spill	U.S. Attorney	6/9/72	Under review by U.S. Attorney's office.
Greenville Oil Spill (Towboat)	Mississippi River (near Clarksville, Mo.)	Oil spill	USCG	11/2/72	$2,000 fine assessed 11/14/72.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Gulf Pipeline Company Liberty, Texas	Trinity River	Crude oil	U.S. Attorney	5/9/72	No action taken to date.
R. A. Hartselle, District Engineer Chicago & Eastern Illinois Railroad Dolton, Illinois	Little Calumet River	Failure to notify of an oil spill	U.S. Attorney	6/26/72	Case filed 6/28/72. Pleaded nolo contendere and fined $2,000 10/30/72.
Hess Oil Company Perry County, Miss.	Jumping Creek Black Creek Beaverdam Creek	Oil	USCG	12/7/71	Awaiting decision of CG concerning their jurisdiction over spill.
Illinois Central RR Starr, Mississippi	Pearl River	Oil	U.S. Attorney	4/20/71	U.S. Atty declined prosecution.
Infinger Transportation Company Charleston Heights, S.C.	Boon's Creek	Oil	USCG U.S. Attorney	9/22/72 11/27/72	Civil penalty of $5,800 assessed, but defendant found not liable on hearing. U.S. Atty declined prosecution on 12/1/72.
Kaiser Aluminum & Chemical Corporation Ravenswood, W. Va.	Ohio River	Oil	U.S. Attorney	9/29/72	Case filed 11/22/72; fined $500 on 11/29/72.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Kennebec River Pulp & Paper Company, Inc. Madison, Maine	Kennebec River	Oil	U.S. Attorney	5/18/72	Indicted 6/22/72; 9/29/72 pleaded guilty fined $1000 - remitted due to poor financial condition of company.
Liberty Materials Co. Liberty, Texas	Trinity River	Diesel fuel	U.S. Attorney	5/9/72	No action taken to date.
Marathon Pipeline Co. Birds, Illinois	Embarass River	Oil		12/6/71	Pending. Case filed.
Metropolitan Petroleum Plattsburgh, N. Y.		Oil spill		4/28/71	Fined $500.
Mid Continent Pipeline Cushing, Oklahoma	Cimarron River	Crude oil	U.S. Attorney	1/11/72	Case filed.
National Transit Co. Oil City, Pennsylvania	Allegheny River	Oil spill	U.S. Attorney	8/15/72	Case filed by Justice. Company pleaded nolo contendere and fined $500.
Palatine Dyeing Company St. Johnsville, N. Y.	Mohawk River	Oil spill		10/12/71	Fined $500 7/72.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Patrick Petroleum Co. Choctaw Bluff, Alabama	Alabama River	Oil	USCG U.S. Attorney	9/29/72 11/21/72	CG declined to proceed 11/6/72. U.S. Atty will file under 11(b)(4) in near future.
Plantation Pipeline Co. Athens, Georgia		Oil	U.S. Attorney	4/20/71	
R. Powell Plant Manager New Departures Company	Mills Creek to Sandusky Bay	Failure to notify of an oil spill	U.S. Attorney	9/28/71	U.S. Atty declined prosecution 12/8/71.
Powell & Minnock Brick Works Coeymans, N. Y.	Hudson River	Oil discharge		2/4/72	Fined $500 3/72.
Refinery Corporation Commerce City, Colo.	South Platte River	Oil	U.S. Attorney	11/17/71	Case filed 3/14/72; fined $5,000 7/72 & two years probation. ($4,000 suspended.)
Revelo Corporation Sanford, Florida	St. Johns River	Oil	USCG	10/19/71	CG declined to proceed under sec. 11(b)(5) 1/9/72.
R. H. S. Corporation Ellsworth, Maine	Union River	#2 fuel oil	USCG	5/10/72	Pending action.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Rogers Oil Company Savanna, Illinois	Mississippi River	Oil	U.S. Attorney	12/15/71	Fined $1,000.
Sandacres, Inc. Seymour, Indiana	Vernon Fork	Oil	U.S. Attorney	3/10/72	Pending action.
Texaco-Cities Service Pipeline Collinsville, Oklahoma	Caney River Verdigris River Arkansas River	Crude oil	USCG	11/21/72	No action taken to date.
Captain, "Tri-W" Tri-W Towing Company Greenville, Miss.	Mississippi River	Failure to notify of an oil spill	U.S. Attorney	10/4/72	Under review.
Union Oil Company of California Mabscott, W. Va.	Whitestick River	Gasoline and kerosene	U.S. Attorney	9/29/72	Case filed 11/22/72. Trial date 12/23/72.
Uniroyal Inc. Chicopee, Mass.	Chicopee River	Oil spill - a petroleum based plasticizer	U.S. Attorney	10/24/72	Pending action.
Volunteer Asphalt Co. Knoxville, Tennessee	Ft. Loudon Reservoir and Tennessee River	Oil	USCG	9/22/72	Civil penalty of $10,000 assessed by USCG, hearing pending. Will refer to U.S. Atty under 11(b)(4) after USCG matter is closed.

Name and Location of Company	Receiving Waters	Pollution Problem (Type of Spill)	Referred To	Date Referred	Results or Status
Waumbec Mills, Inc. Manchester, N. H.	Merrimack River	#6 fuel oil - repeated discharges	U.S. Attorney	10/24/72	Information filed 10/30/72. Pleaded not guilty 11/10/72.
Wyandotte Industries Corporation Waterville, Maine	Kennebec River	Bunker C fuel oil -- 3 spills	U.S. Attorney	9/20/72	Information filed 10/6/72. Pleaded not guilty 11/3/72.
H. P. Lukehart, Div. Mechanical Officer Chicago & North Western Railway Co. Minneapolis, Minnesota	Bassetts Creek to Mississippi River	Failure to notify of an oil spill	U.S. Attcrney	6/28/72	Under review in U.S. Attorney's office.

ENFORCEMENT CONFERENCE ACTIONS

(Dec. 3, 1970 to Present)
Table 10

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Alabama Water Quality Standards Setting Conference	EPA - Alabama	4/71	Alabama Interstate Streams		Alabama adopted on 7/17/72 standards proposed by EPA.
Androscoggin River Basin	Maine and New Hampshire 10 Municipalities 11 Industries	9/24/62 2/5/63 10/21/69	Androscoggin River and Its Tributaries	Untreated sewage and industrial wastes	5/26/71 Approved clean-up program for the River; proceeding satisfactorily.
Biscayne Bay	Florida	2/24-26/70	Biscayne Bay	Heated power plant effluent	Conference effectively superseded by actions initiated by Justice and FP&L Co., as result of which a method of cooling by means of a reservoir has been approved and company proceeding on schedule.
Boston Harbor and Its Tributaries	Massachusetts Communities 8 Municipalities 1 Industry	5/20/68 4/30/69 10/27/71	Atlantic Ocean	Untreated sewage; sludge	11/17/71 Approved clean-up program for Boston Harbor; 7/19/72 Agreement signed between EPA and Commonwealth of Massachusetts; Mass. committed to eliminate sludge discharged by Deer Island and Nut Island waste

(more)

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Boston Harbor and Its Tributaries (Continued from previous page.)					treatment plant; minimum of secondary treatment for all wastes discharged into Boston Harbor within reasonable time. 5/1/76 Sludge 5/1/79 MDC (Deer and Nut Islands.) 12/31/80 Secondary treatment.
Lake Champlain	New York Vermont	2nd session 6/25/70	Lake Champlain	Industrial waste	The old IPC Plant has been phased out. At the present time litigation is in progress; Vermont vs New York & International Paper Co. The U.S. Government has filed a motion for leave to Intervene, Memorandum in Support of Motion, Petition for Intervention.
Colorado River & its tributaries	Colorado, Utah, Wyoming, California Nevada, Arizona, New Mexico	2/15-17/72 4/16/72	Colorado River	Salinity & uranium mill tailings erosion	Agreement reached to maintain TDS (salinity at or below present levels. States to regulate tailing piles by 7-1-73.

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Dade County	Florida	10/20-22/70 (1st) 2/18-19/71 (2nd) 7/2-3/71 (3rd) 11/19/71(progress meeting)	Navigable waters of Dade County	Municipal and industrial wastes	EPA has approved interim plan, received environmental assessment and is proceeding with EIS on North, Central and South Dade County projects. Completion scheduled for '76.
Escambia River Basin	Florida, Alabama	1/20-21/70 (1st) 2/23-24/71(2nd) 1/24-25/72(3rd)	Escambia Bay	Municipal and industrial wastes	A Bay recovery study has been initiated by EPA's Region IV, S&A Division. American Cyanamid & Air Products have not complied with conference recommendations. Monsanto and others in substantial compliance.
Galveston Bay	136 industries 141 municipalities population approximately 2,125,000	12/7/72	Houston Ship Channel, Galveston Bay	Inadequately treated industrial & municipal discharges	Approved publication of progress report.
Kansas and Missouri River (Kansas City Metro Area)	Missouri and Kansas	12/3/57	Missouri and Kansas Rivers	Municipal and industrial waste	Kansas City, Kansas referred to U.S. Attorney 4/14/72 Case filed 10/6/72.

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Long Island Sound	Connecticut, New York, Interstate Sanitation Commission, New England Interstate Water Pollution Control Commission	4/13-19/71	Long Island Sound and Its Tributaries	Untreated sewage and industrial wastes	Reviewed existing State Implementation Schedules and Federally-approved Water Quality Standards; point sources subject to conference recommendations: Industrial: 159 Municipal : 53 Final compliance dates range from June 30, 1973 - January 1, 1975.
Merrimack River Basin	New Hampshire Massachusetts Municipalities 331 Industries 79	2/11/64 2/18/68 10/20/70 10/21/70	Merrimack and Nashua Rivers and tributaries	Untreated sewage and industrial waste	7/12/71 approved clean-up program. Satisfactory progress being made.
Lake Michigan and Tributaries	Michigan, Illinois, Indiana, Wisconsin	1/31,2/1-2/5-7 3/7-8, 12/68 Additional Sessions: 2/25/69 3/31 - 4/1/70 5/7/70 9/28-10/2/70 10/29/70 3/23-26/71 9/19-21/72 Public Session: 11/9/72	Lake Michigan Basin	Industrial and municipal wastes resulting in accelerated aging and bacterial contamination with particular problems of combined sewer overflows, thermal discharges and taste and odor	Clean-up program established and currently underway-substantial compliance although slippage occurring for phosphorus removal and some municipal and industrial delinquencies-180-Day Notices, 1899 Civil and Criminal cases initiated against a number of delinquents.

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Mobile Bay	Alabama	7/27-28/70	Mobile Bay	Bacterial pollution	EPA wants to see shellfish dredging phased out if suitable alternatives can be found. There is some slippage on compliance with conference recommendations on the part of two sources, but substantial compliance otherwise.
Monongahela Conference	1. West Virginia Dept. of Natural Resources 2. Pennsylvania Dept. of Environmental Resources 3. Maryland Dept. of Natural Resources 4. Maryland Dept. of Health & Mental Hygiene 5. Ohio River Valley Water Sanitation Commission.	8/24-25/71	Monongahela River	Abandoned mine drainage problem	Approved on Dec. 15, 1971 all active mine discharges in the Monongahela Basin in compliance with water quality effluent standards.
Mount Hope Bay	Massachusetts Rhode Island 8 Municipalities 40 Industries	12/7/71 1/6/72	Narragansett Bay	Untreated sewage and industrial wastes	Abatement program approved for construction 12/31/74.

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
New Jersey Atlantic Coastal Area - Water Quality Standards Setting/ Review Conference	State of New Jersey, EPA and interested members of the public	6/27-28/72	Atlantic Ocean (Cape May to Sandy Hook)	Extensive closing of shellfish harvest areas	Recommended revision of Water Quality Standards for New Jersey Coastal Area; point sources subject to conference recommendations: Industrial: 17 Municipal: 154 Final dates range from July 1, 1975-Dec. 1, 1976.
Ohio River Pittsburgh, Pa. area Conference Session	1. Ohio Dept. of Natural Resources 2. Ohio Dept. of Health 3. West Virginia Dept. of Natural Resources 4. Pennsylvania Dept. of Environmental Resources 5. Ohio River Valley Water Sanitation Commission	10/71	Ohio, Allegheny, & Monongahela Rivers	Pollution is so extensive that fishing and recreational use have been restricted	All waste treatment sources in operation by December 1973.
Ohio River Wheeling, West Virginia area	West Virginia and Ohio	10/13/71	Ohio River	West Virginia and Ohio have submitted incomplete, interim schedules on municipalities and on industries	Municipalities and industries are to provide the equivalent of secondary treatment by Jan. 1975.

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Savannah River-Middle Reach	Georgia, South Carolina	3/22/72	Savannah River	Municipal and industrial wastes	State preparing a regional planning concept for the Horse Creek Valley, due 12/72. Monitoring compliance with conference recommendations.
Western South Dakota	South Dakota, EPA	11/19-21/71	Oahe Reservoir (Cheyenne Arm)	Toxics	Final engineering plans for the Lead-Deadwood Sanitation District lagoon are being prepared. Fish and bottom surveys of Cheyenne River Basin completed.
Lake Superior and Tributaries	Wisconsin, Michigan, Minnesota	5/13-15/69 Additional Sessions: 9/30-10/1/69 4/29-30/70 8/12-13/70 1/14-15/71 4/22-23/71	Lake Superior Basin	Industrial pulp and paper mill wastes, major taconite mining wastes, municipal wastes from Duluth-Superior area	Clean-up program approved-180-Day Notices and major civil action initiated against delinquents.

Name of Conference	Participants	Dates	Receiving Waters	Pollution Problems	Results or Status
Pearl Harbor	Hawaii	9/21-23/71; Tech. Progress Mtg.: 6/5-6/72	Pearl Harbor	Inadequately treated sewage, agricult. runoff, indust. wastes, oil spills, construction runoff.	Honolulu (pop 500M), State agencies, agri. & indust. firms & DOD agencies to comply with abatement requirements by 12/31/74.
Perdido Bay	Florida, Alabama	1/22/70(1st) 2/25-26/70(2nd) 1/26/72(progress meeting)	Perdido Bay	Municipal and industrial	Monitoring of progress on conference recommendations continues. Sources in substantial compliance. Florida has proceeded against St. Regis for further reduction of BOD and color.
Potomac River	District of Columbia, Maryland, Virginia, Interstate Commission on the Potomac River Basin, EPA	4/2-4/69-5/8/69(3rd) 4/2-4 & 5/8/69-Reconvened 3rd. 11/6-7/69-Progress Mtg. 5/21-22 & 10/13/70-Reconvened 3rd. 12/8-9/70, 10/5/71 & 11/11/71-6/20-21/72 Progress Mtgs. & 1/16/73.	Potomac River	Inadequately treated municipal wastes	Construction of required advanced waste treatment plants proceeding.

AIR ENFORCEMENT REVIEW

Review

The initial Federal attention to air pollution sharpened as a consequence of the air pollution episode at Donora, Pa. in October 1948. The Public Health Service, Department of Health Education and Welfare, conducted a study and investigation of the Donora incident in 1949 under authority of the provisions of the Public Health Service Act. Further Federal concern was evidenced in 1952 when the President called the U.S. Technical Conference on Air Pollution "for the purpose of summarizing our knowledge of this difficult subject and...preparing recommendations for cooperative effort of public and private interests to minimize atmospheric pollution and its ill effects."

Authorities

1. Stationary Sources

The earliest Federal air pollution control legislation was adopted in July 1955. The law recognized the primary responsibility of the States and local governments in controlling air pollution and authorized Federal technical assistance and grants-in-aid to State and local air pollution control agencies.

With the adoption of the Clean Air Act in December 1963, Federal policy in the field of air pollution control underwent significant evolution. Although there was no change in the view that responsibility for the control of air pollution rests primarily with State and local governments, the Act included for the first time a limited regulatory authority on the Federal level for abatement of specific air pollution problems. This limited regulatory power was intended to supplement the abatement powers of State and local governments in two types of situations: (1) with respect to an interstate problem in which pollution arising in one State may be endangering the health or welfare of persons in another State, the Federal government, on its own initiative or on official request as specified in the Act, could initiate formal proceedings for the abatement of the pollution as found to be necessary; and (2) with respect to a similar air pollution problem, but purely intrastate in nature, the Federal government could invoke such formal abatement proceedings only on official request from designated officials in the State involved.

The most recent amendments to the Clean Air Act were adopted in 1970 to authorize establishment of air quality standards and strengthen Federal enforcement authority. The principle enforcement-related provisions are currently as follows:

National Ambient Air Quality Standards

Section 109 provides that the Administrator of the Environmental Protection Agency shall adopt air quality standards for air pollutants which have an adverse effect on public health and welfare and for which there are numerous or diverse mobile or stationary sources. There are two standards for each pollutant, a "primary" standard which is designed (with an adequate margin of safety) to protect the public health, and a "secondary" standard which is designed to protect the public welfare from any known or anticipated adverse effects. Such standards have been set for six air pollutants: hydrocarbons, nitrogen dioxide, carbon monoxide, photochemical oxidants, sulfur oxides, and particulate matter. (36 F.R. 8186, April 30, 1971)

Implementation Plans

States are required by Section 110 to submit implementation plans to the Administrator which provide for meeting and maintaining the primary and secondary ambient air quality standards. The deadline for submission of plans to meet the primary standard is January 31, 1972. The deadline for submission of plans to meet the secondary standard is also January 31, 1972, except that an extension of up to 18 months may be granted by the Administrator.

The Administrator is required to either approve or disapprove the plan within four months, i.e. by May 1972. If a plan is not submitted or is disapproved (in whole or in part), the Administrator is required to propose regulations setting forth an implementation plan (or such aspects of the plan as are needed to make the State plan approvable). If the State still has not submitted an approvable plan after six months from the date required for submission, the Administrator is required to promulgate the regulations setting forth the plan which he proposed (with any revisions he deems appropriate).

New Source Performance Standards

Under Section 111, the Administrator is empowered to set national standards of performance for categories of stationary sources that contribute significantly to air pollution which causes or contributes to the endangerment of public health or welfare. The standard would be applicable to sources the construction or modification of which was commenced after the date the applicable standards were proposed. The standard of performance reflects "the degree of emission limitation achievable through the application of the best system of emission reduction which (taking into account the cost of achieving such reduction) the Administrator determines has been adequately demonstrated.

It is expected that standards of performance under this section will be set for approximately 30 major categories of sources. Standards for five categories were set on December 23, 1971 (36 F.R. 24876). These categories are fossil fuel-fired steam generators, incinerators, portland cement plants, nitric acid plants and sulfuric acid plants.

Emission Standards for Hazardous Air Pollutants

The Administrator is directed by Section 112 to set national standards for "hazardous air pollutants." A hazardous air pollutant is one to which no ambient air quality standard is applicable and which may cause, or contribute to, "an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness." The initial list of hazardous air pollutants consists of asbestos, mercury and beryllium.

Federal Enforcement

Section 113 provides for Federal enforcement in cases of violation of a Federal standard or any requirement of a Federally approved implementation plan.

In the case of a violation of a provision of a Federally approved implementation plan, the Administrator must first issue a notice of violation, unless the Administrator has declared that State in which the violation occurred to be in a "period of Federally assumed enforcement." (Federally assumed enforcement, under which Federal enforcement procedures are more expeditious, is appropriate whenever a State fails generally to enforce an implementation plan effectively.) Thirty days after the issuance of a notice of violation, the Administrator may issue an order or bring a civil action.

He may also issue an order or bring a civil action in the case of a violation of new source performance standard or an emission standard for a hazardous air pollutant. No notice of violation is required in such cases.

In addition, Section 113 makes it a criminal offense for any person to knowingly violate any requirement of an applicable implementation plan more than 30 days after issuance of the notice of violation (or at any time during a period of Federally assumed enforcement). Criminal penalties are also provided for knowingly failing to comply with any order of the Administrator, or for knowingly violating a new source performance standard or an emission standard for a hazardous air pollutant.

Abatement Conferences

Another procedure for the abatement of air pollution is the conference procedure under Section 115. This procedure has been utilized since 1965 to deal with many different types of problems. However, future conferences may be called only with respect to an air pollutant for which there is no national ambient air quality standard in effect, although this does not affect the validity of ongoing conferences instituted prior to adoption of such ambient air quality standards. (Tab on Air Enforcement Actions.) Many of the Conferences we discuss originated before EPA's foundation, nevertheless, EPA has continued to follow up the status of compliance with each Conference's recommendations.

Based on the statements, testimony, and evidence presented at the conference, the Administrator must prepare and forward to the conference participants a summary of discussions including: (1) occurrence of air pollution subject to abatement under the Act, (2) adequacy of measures taken toward abatement of the pollution, and (3) nature of delays, if any, being encountered in abating the pollution. If the Administrator believes that effective progress toward abatement of such pollution is not being made and that the health or welfare of any persons is being endangered, he must recommend to the appropriate air pollution control agency that the necessary remedial action be taken.

If the necessary remedial action is not taken in the time provided (at least six months), Section 115 contains procedures for a public hearing and ultimately for a civil action by the Attorney General.

Emergency Powers

In any instance where a pollution source or combination of sources is presenting an imminent and substantial endangerment to health, and State or local authorities have not acted to abate such sources, the Administrator is empowered to bring suit to restrain any person causing or contributing to the pollution.

2. Mobile Sources

The 1970 Clean Air Amendments require EPA to set emission standards for any class of new motor vehicle emitting air pollutants dangerous to public health or welfare. Congress itself established such standards for the three most prevalent auto pollutants: carbon monoxide, hydrocarbons, and oxides of nitrogen. Section 202 of the Clean Air Act requires that 1975 light-duty vehicles (foreign and domestic except those sold in California) reduce emissions of hydrocarbons and carbon monoxide by 90% of 1970 levels, and that 1976 models reduce oxide of nitrogen emission by 90% from 1971 levels. These standards must be met during the "useful life" of the vehicle, that is, 5 years or 50,000 miles, whichever comes first.

Section 202 also provides for a 1-year extension to meet these standards if automobile manufacturers can prove: that effective control technology processes or operating methods are not available; that granting such suspension is essential to the public interest; that a good faith effort has been made to meet the technology; and that a National Academy of Science study has indicated that technology, processes, or other alternatives are not available to meet such standards.

Section 206 requires the Administrator to test new vehicles (prototypes) and engines, and to issue a certificate of conformity if such vehicles meet the applicable standards. To insure conformance with applicable standards the Administrator is authorized to test assembly-line vehicles. If, based upon the assembly-line tests, the Administrator determines that vehicles or engines do not comply with applicable certificate conditions, the Administrator may suspend or revoke the certification.

If a non-certified vehicle is sold, offered for sale, introduced or delivered for introduction into commerce or imported into the United States, the manufacturer or person responsible for importation is subject to a civil penalty up to $10,000 under Sections 203 and 205. Each vehicle sold, etc., constitutes a separate offense. The courts also have the jurisdiction under Section 204 to restrain such activity by issuing injunctions.

Section 207(a) calls for manufacturers to include in their new-car warranty, a guarantee that the vehicle complies with applicable emission regulations, and that it is free of defects in materials or workmanship that would cause any noncompliance during its useful life.

Section 207(b) states that after workable tests are developed to check on the performance of emission control devices, EPA must require manufacturers to revise warranties so that the manufacturer is required to replace at its own expense any faulty control device if: (1) the vehicle was maintained and operated in accordance with manufacturer's instructions; (2) the vehicle fails to conform to regulations under Section 202 any time during its useful life; or (3) the failure of any device results in the owner being penalized under state or federal law.

If a substantial number of any class of vehicle or engine, although properly maintained and used, do not conform to regulations prescribed under Section 202, the Administrator is empowered by Section 207(c) to notify the manufacturer and require it to submit a plan for remedying the nonconformity. Any affected vehicle which is properly used and maintained shall be brought into compliance at the manufacturer's expense. Public hearings are provided if a manufacturer disagrees with the Administrator's initial determination.

Section 207(c) also provides that each vehicle or engine must have a permanent label or tag affixed to it showing that the vehicle or engine is covered by a certificate of conformity.

A manufacturer is prohibited from selling or leasing any vehicle or engine which does not comply with the provisions of Section 207, due to the provisions of Section 203(a)(4), and is liable for fines or restraining orders under Sections 205 and 204.

Pursuant to Section 208, manufacturers must establish and maintain records, make reports, and provide information that the Administrator may require to determine whether the manufacturer is acting or has acted in compliance with the applicable standards.

If any manufacturer fails or refuses to permit access to or copying of records or fails to make reports or provide information, it is liable for civil penalties of up to $10,000, due to provisions in Sections 203 and 205. Further, if any person knowingly makes any false statement, representation or certification in any document required to be maintained under this Act or who falsifies or tampers with any monitoring device required to be maintained under this Act, he shall, upon conviction, be punished by a fine of not more than $10,000 or by imprisonment of not more than 6 months, pursuant to Section 113(c)(2).

Section 203(a)(3) sets out a prohibition against removal or rendering inoperable any emission control device by any person prior to sale or delivery to the ultimate purchaser; or for any manufacturer or dealer (Note: not any person) to knowingly remove or render inoperative any such device after sale and delivery to the purchaser.

Any person found violating this provision is subject to civil penalty of not more than $10,000 or to actions restraining such activity pursuant to Sections 205 and 204.

The Administrator is empowered to register fuels and fuel additives, and to obtain information concerning these additives pursuant to Section 211(a) and (b). Subsection (c) of Section 211 empowers the Administrator to control or prohibit any fuel or additive which he believes will endanger public health or welfare, or will significantly impair the performance of emission control devices.

Any person who violates Subsection (a) or the restrictions prescribed by regulation under Subsection (c), or who fails to furnish any information required by the Administrator under Subsection (c), shall be subject to a civil penalty of $10,000 per day for each day such violation continues pursuant to Section 211(d).

The following pages present an overview of the more significant air enforcement actions, involving both stationary and mobile sources, the Agency has taken, as well as significant achievements. In addition, the section on air enforcement actions discusses the salient facts on every air enforcement action taken by the Agency.

CASE HISTORIES OF SELECTED INDIVIDUAL ACTIONS

Key air enforcement actions taken under the authorities described in the preceding part are discussed in this section of the review.

Stationary Source Enforcement Actions

Emergency Episode Proceedings

1. Birmingham, Alabama (see pictures on the Tab entitled Air Enforcement Actions.)

The Federal Government intervened for the first time in an air pollution emergency when it obtained, on November 18, 1971, a temporary restraining order from the United States District Court in Birmingham, Alabama to curtail the emission of particulate matter into the ambient air by U. S. Steel and 22 other industries. The episode stands as the only court case under the emergency episode powers (Section 303 of the Clean Air Act, as amended), which authorize EPA to enter an area during an episode and effectively shut down the major polluters where an imminent and substantial endangerment to the health of persons exists.

On Friday, November 12, 1971, a high pressure system with warm air aloft, that had been enveloping Birmingham's Jones Valley, became an inversion. On Monday, November 15, 1971, an Air Stagnation Advisory was issued for Birmingham, predicting that the inversion would remain for at least another 24 hours.

On Tuesday, November 16, 1971, the Director of the Jefferson County Health Department announced that particulate matter concentrations of 397 ug/m^3 and 771 ug/m^3 (North Birmingham) had been recorded. Accordingly, an air pollution "Alert" (particulate matter concentration at or above 375 ug/m^3) was declared. Later that afternoon, it was announced that the particulate matter concentration in North Birmingham had decreased to 722 ug/m^3. Nevertheless, the episode was moved up a notch by formally declaring an air pollution "Warning" (particulate matter concentration at or above 625 ug/m^3).

On Wednesday, November 17, 1971, the particulate matter concentration in North Birmingham was reported at 758 ug/m^3 and the Air Stagnation Advisory was forecast to last another day. Accordingly, the air pollution "Warning" for Birmingham was continued.

As a result of these excessively high particulate matter concentrations, the Health Department on Tuesday evening and Wednesday morning, in an attempt to decrease the particulate matter concentration, telephoned the 23 major companies in Birmingham requesting a 60% voluntary curtailment of emissions. Only four industries did not assure any reduction (including U.S. Steel, the largest Birmingham steel mill). Subsequently, only a 15% reduction in particulate matter emissions was achieved.

EPA Administrator Ruckelshaus sent his own representatives to Birmingham after learning that the voluntary compliance efforts had failed. Upon arrival in Birmingham and after reviewing the latest meteorological forecasts (which predicted the inversion might clear by Thursday afternoon) and the latest available air quality data, a determination was made by the EPA representatives to exercise the emergency episode powers to prevent the 23 plants from operating at full capacity effective Thursday morning.

The local United States Attorney presented to the United States District Judge, shortly before midnight Wednesday evening, a formal complaint requesting a temporary restraining order against the 23 major companies in Birmingham to curtail their particulate matter emissions into the ambient air. Part of the request was a list of specific steps the firms would have to take to limit particulate matter emissions. The temporary restraining order was granted at 2 a.m. Thursday, November 18, 1971, and a hearing on the order was scheduled for 9 a.m. Friday, November 19, 1971.

On Thursday, November 18, 1971, after the 23 industries had been served and substantially complied with the temporary restraining order, the particulate matter concentration dropped to 410 ug/m^3 in the morning and 461 ug/m^3 in the afternoon. In addition, the inversion was definitely in the process of breaking up by Thursday afternoon.

On Friday, November 19, 1971, the United States Attorney requested that the temporary restraining order be vacated since the atmospheric conditions had improved and EPA's medical and pollution experts believed, since the particulate matter concentration had decreased to 216 ug/m^3, that the previous imminent and substantial endangerment to health no longer existed.

Implementation Plan Enforcement Proceedings

1. Delmarva Power and Light Company

By a contractual arrangement, the Delmarva Power and Light Company provides electricity to the Getty Oil Company in exchange for petroleum coke which serves as fuel for Delmarva's boilers. Since this fuel contains up to 7 percent sulfur, it does not conform to the provisions of the Federally approved implementation plan for the State of Delaware which requires that the Delmarva Power and Light Company use fuel containing no more than 3.5 percent sulfur after January 1, 1972, as part of the control strategy to attain the national primary ambient air quality standard for sulfur oxides.

In September 1971, Getty Oil Company applied to Delaware authorities for a variance from the January 1, 1972, effective date of the regulation. The variance application was denied by the Secretary of the Delaware Natural Resources Commission, and Getty appealed to the Delaware Water and Air Resources Commission. Before the Commission could act, Delaware obtained a State court order against enforcement of the regulation by the State of Delaware pending disposition of the appeal on Getty's variance application.

After obtaining a report from Delmarva (pursuant to Section 114 of the Clean Air Act) that it was burning fuel with a sulfur content in excess of 3.5 percent, the Administrator issued a notice of violation on March 6, 1972, pursuant to Section 113(a) of the Act. This was the first use of these enforcement authorities in the new Clean Air Act. Subsequently, as required by the Act, a conference was held with Getty and Delmarva. Upon determining that the violation had continued beyond the 30th day of the notice, the Administrator, on April 17, issued an order to comply by May 1, 1972. Getty Oil Company brought suit in the Federal District Court for the District of Delaware on April 21, 1972, seeking to restrain the Administrator of the Environmental Protection Agency from enforcing the Delaware State implementation plan. A hearing was held on April 27, 1972, by the U. S. District Court for Delaware at which time the Administrator agreed to suspend the compliance date until May 10, 1972.

Although by decision of May 10, 1972, the Federal District Court denied Getty's motion for preliminary injunction, the Court ruled that Getty had standing to sue, and that the District Court had subject matter jurisdiction under the Declaratory Judgement Act and the Administrative Procedure Act (APA), except to the extent that Section 307 of the Clean Air Act precludes judicial review. The court further held that Section 307 of the Act only precludes District Court pre-enforcement review of any claim which could have been raised at the time of approval of the State plan in a Section 307(b) proceeding. The court rejected Getty's contention that the regulation is unnecessary because the national primary ambient air quality standard for sulfur oxides has already been achieved, and that the economic costs imposed by the regulation outweigh environmental benefits, holding that such contentions could have been considered in a proceeding for judicial review, under Section 307 of the Clean Air Act. However, the Court held that it had subject matter jurisdiction to consider such due process arguments as, (1) whether the May 1st compliance date specified in the Administrator's order was reasonable, and (2) whether the Administrator was required to file an environmental impact statement under the National Environmental Protection Act (NEPA) prior to issuing a compliance order.

On appeal, the Third Circuit Court of Appeals remanded the case to the District Court to dismiss for lack of jurisdiction. The Appeals Court reversed the District Court's holding that it had subject matter jurisdiction in a pre-enforcement review proceeding to consider due process arguments concerning the reasonableness of the compliance date, or whether an impact statement was required by NEPA. The Court of Appeals found that Getty was posing a direct challenge to the regulation, and that issues sought to be raised by Getty could have been raised in a proceeding for judicial review under Section 307 of the Clean Air Act. The Court of Appeals further held that neither the Declaratory Judgment Act, nor the APA could afford a basis for jurisdiction of the District Court.

This case has extremely great importance as a precedent indicating that the necessity of abatement requirements specified in a duly promulgated implementation plan will not be open to challenge in suits to enforce compliance with those requirements. Getty Oil Company filed a petition for a writ of certiorari from the U. S. Supreme Court on November 1, 1972, which the court denied on January 15, 1973.

2. Allied Chemical Corporation

On May 24, 1972, the Administrator of the Environmental Protection Agency issued a notice of violation against the Allied Chemical Corporation pursuant to Section 113(a)(1) of the Clean Air Act. Allied's sulfuric acid manufacturing plant in Claymont, Delaware, produced sulfur dioxide concentrations and mass emission rates in excess of those permitted by Regulation IX of the Federally approved implementation plan for the State of Delaware. Following the notice of violation, a conference was held on June 12, 1972, with Allied pursuant to Section 113(a)(4) of the Act.

An order was issued by the Administrator on July 20, 1972, requiring Allied's Claymont facility to reduce its sulfur dioxide emissions to comply with the levels specified in the State implementation plan by September 15, 1973. Bimonthly progress reports, beginning October 10, 1972, were required as well as provisions for continuous monitoring of emissions of sulfur dioxide from the plant. In addition, Allied was ordered to submit sufficient information on construction of the emission control facility to assist the Environmental Protection Agency in establishing a compliance schedule with suitable increments of progress.

Abatement Conference Proceedings

1. Parkersburg, West Virginia - Marietta, Ohio, Abatement Conference

In response to citizens' complaints, the Federal government initiated a field investigation of interstate air pollution in the Parkersburg, West Virginia - Marietta, Ohio, area in October 1965. The field investigation, which included the gathering of air quality and meteorological data and an emission source inventory, showed clearly that the primary source of air pollution in the area was the Marietta, Ohio, metallurgical plant of Union Carbide Corporation although excessive emissions from other industrial plants in the area were found to contribute to the problem.

As a result of this conference, control recommendations were issued covering both particulate and sulfur oxide emissions. On November 13, 1970, (shortly before EPA was established) a public consultation with State officials was held in Vienna, West Virginia. All of the cited plants had taken some positive steps to abate particulate and odorous emissions, but no progress had been made by Union Carbide with respect to sulfur dioxide control. A Union Carbide spokesman appeared at this session and promised that a revised control plan and schedule would be submitted around December 1.

Union Carbide's revised plan and schedule were submitted on December 8, 1970. Due to the inadequacy of such plan, the Administrator of EPA responded on January 8, 1971, to require from Union Carbide an immediate commitment to fulfill all of the conference recommendations and to signify such commitment by written communication not later than January 19, 1971. By reply of January 18, 1971, Union Carbide stated its commitment to meet the conference recommendations but raised the prospect that in order to do so the company saw no alternative to partial shutdown of certain facilities which would result in a layoff of approximately 125 employees in September 1971 and 500 further employees in April 1972.

Although initially the company publicly voiced concern relative to being able to locate sufficient quantities of low-sulfur fuel to meet conference recommendations and permit continued operation of the Marietta plant at full employment level, it was able to meet the 40-percent reduction in sulfur oxide emissions on time by blending its higher-sulfur, Ohio-mined coal with previously unavailable lower-sulfur coal from a company-owned West Virginia coal mine. Later engineering studies made by the company on cost of flue gas desulfurization compared with switching to low-sulfur coal prompted the company to develop a new mine and coal preparation facility on West Virginia property owned by the company. The new mine provided sufficient low-sulfur coal to operate the plant at full capacity and meet the final 70-percent reduction by the specified deadline.

Union Carbide completed construction in January 1972 of an approved 362-foot single stack at the power station which was designed to eliminate severe plume downwash previously contributing to high, short-term ground sulfur concentration found in the vicinity of the plant.

Civil Actions for Violations of Title II of the Clean Air Act

1. Suit against Ford for Shipment of Uncertified Vehicles

EPA sued Ford Motor Company for violating the Clean Air Act by shipping uncertified vehicles to dealers on consignment. The case was decided in favor of EPA in a consent decree. Due to a delay in completion of durability testing, Ford shipped the vehicles before they were certified. Ford claimed that the delay was caused by EPA's failure to promulgate a new test procedure sufficiently in advance of certification. Ford however, was the only domestic manufacturer to fail to obtain certification on time.

In early summer 1971, EPA discussed the problem of potential delay with Ford and other manufacturers. Ford was advised by letter that some form of qualified certification might be granted if Ford could provide sufficient test data to support the judgment of substantial certainty that certification of the vehicles would be achieved. Ford chose not to apply for qualified certification, and shipped the uncertified vehicles. Ford claims to have thought that shipment of the vehicles on consignment was lawful, but this point was settled in EPA's favor in the consent decree.

Application for 1-Year Suspension of Motor Vehicle Emission Limitations

On Friday, May 12, 1972, William D. Ruckelshaus denied the request of five motor vehicle manufacturers, Volvo, General Motors, Ford, Chrysler, and International Harvester, for a one-year suspension of the 1975 vehicle emission standards. The decision of the Administrator to deny the requests was made on the basis of four determinations specified by law in Section 202(b)(5)(d) of the Clean Air Act. The Act states that the Administrator has the authority to suspend the effective date of the 1975 hydrocarbon and carbon monoxide standards only if he determined that: (i) such suspension is essential to the public interest or the public health and welfare of the United States, (ii) all good faith efforts have been made to meet the standards, (iii) the applicant has established that effective control technology, processes, operating methods, or other alternatives are not available or have not been available for a sufficient period of time to achieve compliance prior to the effective date of such standards, and (iv) the study and investigation of the National Academy of Sciences conducted pursuant to the Act and other information available to him has not indicated that technology, processes, or other alternatives are available to meet the standards." On the basis of these guidelines and the information submitted by the applicants and other witnesses during the hearings held by EPA concerning the suspension of the 1975 emission standards, the Administrator determined that he was unable to grant the suspension.

Following the May 12 decision, several manufacturers commenced an action in the United States Court of Appeals seeking a review of the Administrator's decision.

Cases Referred to Justice Department

1. Unauthorized Maintenance on 1973 Certification Vehicles by Ford Motor Company

EPA was notified by the Ford Motor Company on May 16, 1972, of irregularities in Ford's maintenance-reporting procedures for 1973 certification vehicles. On May 23, 1972, EPA personnel from the MSED began an in-depth investigation of this matter at the World Headquarters of the Ford Motor Company in Dearborn, Michigan. It was disclosed that Ford had performed unscheduled maintenance on 1973 durability certification vehicles without the required prior approval of EPA. In addition, two certification-maintenance computer reports were prepared and used by Ford regarding 1973 certification maintenance---one listed the maintenance reported to EPA, the other listed all maintenance, some of which had not been reported to EPA. This matter was referred to the Justice Department on September 20, 1972, for final resolution.

2. Alleged Tampering Violation by Haney Chevrolet, Orlando, Florida

In response to a consumer complaint that a Chevrolet dealer had removed the emission control system from his 1972 vehicle, the EPA Regional Office and MSED Washington conducted an investigation. The investigation revealed that Haney Chevrolet, of Orlando Florida, had, in fact, removed certain components of the emission control system of a 1972 Corvette, thereby rendering the system inoperative. The Regional Office, based on the facts discovered during the investigation, recommended that suit be filed against Haney Chevrolet for violating Section 203(a)(3) of the Clean Air Act. EPA Washington concurred with the Regional Office's recommendation and the case has been forwarded to the U. S. Attorney's Office in Orlando, Florida, for appropriate action.

The following tables show key facts on air enforcement actions taken since the establishment of EPA, and air pollution abatement conferences initiated prior to the establishment of EPA:

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Table 1. Air Enforcement Actions 243

Table 2. Abatement Conferences 246

AIR ENFORCEMENT ACTIONS
Table 1

NAME AND LOCATION OF SOURCE	POLLUTION PROBLEM	TYPE OF ACTION	TYPE OF SOURCE	DATE REFERRED	RESULTS OR STATUS
Allied Chemical Corporation Claymont, Delaware	To secure compliance with Federally approved Delaware State Implementation Plan limiting sulfur dioxide concentrations and mass emission rates by a sulfuric acid manufacturing plant of Allied Chemical Corporation.	Notice of violation issued pursuant to Section 113(a) of the Clean Air Act by the Administrator of the Environmental Protection Agency on May 24, 1972. Order to comply issued pursuant to Section 113(a) of the Clean Air Act by the Administrator on July 20, 1972.	Stationary		Bimonthly progress reports to commence October 10, 1972, are being received. Information was submitted to Environmental Protection Agency on construction of an emission control facility to comply with the plan for which a construction schedule with increments of progress will be established by Environmental Protection Agency.
Delmarva Power & Light Co. Delaware City, New Castle County, Delaware	To secure compliance with Federally approved Delaware State implementation plan requiring use of fuel not in excess of 3.5% sulfur by Delmarva Power & Light Company which burns fuel in its boilers containing up to 7% sulfur.	Notice of violation issued pursuant to Section 113(a) of the Clean Air Act by the Administrator of the Environmental Protection Agency on March 6, 1972, against Delmarva Power & Light Company. Order to comply issued pursuant to section 113(a) of the Clean Air Act by the Administrator on April 17, 1972, against Delmarva Power & Light Company.	Stationary		At the conclusion of litigation instituted by Getty Oil Company for a court order restraining enforcement of the fuel sulfur content regulation, the order to comply was upheld. (The interest of Getty Oil Co. in this matter arises from a contractual arrangement between Delmarva Power & Light Co. and Getty Oil Company under which Getty provides Delmarva petroleum coke for fuel in exchange for electricity.) Getty Oil Co. (Eastern Operations) v. Ruckelshaus (342 F. Supp. 1006; 467 F. 2d. 349; cert. den., ____U.S. ____, Jan 15, 1973)

AIR ENFORCEMENT ACTIONS

NAME AND LOCATION OF SOURCE	POLLUTION PROBLEM	TYPE OF ACTION	TYPE OF SOURCE	DATE REFERRED	RESULTS OR STATUS
Ford Motor Company Washington, D. C.	Shipment of uncertified 1972 vehicles to dealers.	Civil action under §203(a)(1) of the Clean Air Act requesting monitary and injunctive relief.	Mobile	October 4, 1971	Consent decree entered December 1, 1972 whereby Ford agreed to pay a fine of $10,000 and was enjoined from introducing or delivering for introduction into commerce any vehicle unless such vehicle is certified by EPA.
Ford Motor Company	Irregularities in Ford's reporting procedures for 1973 certification vehicles. Records disclosed that Ford allegedly had performed unscheduled maintenance on 1973 certification vehicles which were in the process of being certified under the Clean Air Act.	Violation of civil provisions of §203(a)2. Violation of criminal provisions of §113(c)(2), and violation of criminal provisions of 18 USC §1001.	Mobile	September 20, 1972	Currently under investigation by the Department of Justice.
Haney Chevrolet Orlando, Florida	Dealer allegedly removed the emission control system from a 1972 vehicle, rendering the system inoperative.	Civil action under §203 (a)(3) of the Clean Air Act.	Mobile	December 22, 1972	Currently under investigation by the United States Attorney for the Middle District of Florida.
Middletown, R.I.	To secure compliance with that portion of the Federally approved Rhode Island State Implementation Plan which specifically prohibits open burning of materials at public refuse disposal facilities, and to secure compliance with that portion of the plan which prohibits generally the emission of harmful contaminants, by the City of Middletown, Rhode Island, at its refuse disposal site.	A notice of violation was issued pursuant to Section 113(a)(1) of the Clean Air Act on October 13, 1972. A conference between EPA and Middletown Officials was held pursuant to Section 113(a)(4) on November 6, 1972.	Stationary		The Middletown refuse disposal site is under surveillance, and pursuant to Section 113(a)(1) an order to comply is authorized if there are further violations of the State implementation plan.

AIR ENFORCEMENT ACTIONS

NAME AND LOCATION OF SOURCE	POLLUTION PROBLEM	TYPE OF ACTION	TYPE OF SOURCE	DATE REFERRED	RESULTS OR STATUS
Newport, R. I.	To secure compliance with that portion of the Federally approved Rhode Island State Implementation Plan which specifically prohibits open burning of materials at public refuse disposal facilities, and with that portion of the plan which prohibits generally the emission of harmful contaminants, by the City of Newport, Rhode Island, at its refuse disposal site.	A notice of violation was issued pursuant to Section 113(a)(1) of the Clean Air Act, on October 13, 1972. Order to comply issued pursuant to Section 113(a) of the Clean Air Act by the Administrator on January 11, 1973.	Stationary		The Newport refuse disposal site is under surveillance, and pursuant to Section 113, judicial proceedings are authorized if further violations of the State implementation plan occur.
U. S. Steel et al. Birmingham, Ala.	Imminent & substantial endangerment to health.	Civil proceeding for a temporary restraining order pursuant to Section 303, Clean Air Act.	Stationary	November 18, 1971	November 18, 1971 Court issued temporary restraining order against 23 firms requiring significant reductions in particulate emissions until ambient air quality became satisfactory to relieve endangerment to health. TRO dissolved November 19, 1971, at the request of EPA.

ABATEMENT CONFERENCES*
Table 2

AREA	INITIATED BY	CONFERENCE HELD	RECOMMENDATIONS ISSUED	BACKGROUND AND STATUS
Clarkston, Washington - Lewiston, Idaho	Secretary, HEW	3/1/67	6/9/67	Malodorous sulfide gases and particulate emissions from pulp mill in Lewiston affected health and welfare of residents in interstate valley area. Initial control measures instituted by company following conference only partially alleviated problem. The company later embarked on more extensive control program involving installation of high efficiency particulate collectors and modern chemical recovery system which is nearing completion and will result in appreciable emission reduction.
Garrison, Montana	Local Gov't. w/concurrence of Governor	8/16/67	10/4/67	Fluoride emissions from small phosphate rock processing plant severely affected vegetation and livestock in a wide area around Garrison. Over period of time emissions have been gradually reduced to near acceptable levels by better operating procedures and installed controls. Constant surveillance of plant operation is necessary to assure fluoride controls are fully utilized and emissions held to a minimum.
Ironton, Ohio - Huntington, W. Va. - Ashland, Kentucky	Secretary, HEW	7/23/68	3/14/69	Particulate emissions from heavy industrial complex in tri-State region affected health and welfare of area residents. Majority of 19 industrial sources have abated emissions in conformance with conference recommendations. Firm control plans have been submitted to EPA by other companies to install controls fully meeting recommendations on various time schedules extending into early 1974.

* Initiated prior to establishment of EPA

AREA	INITIATED BY	CONFERENCE HELD	RECOMMENDATIONS ISSUED	BACKGROUND AND STATUS
Kansas City, Kansas - Kansas City, Missouri Phase I Phase II	Secretary, HEW	 1/23/67 4/30/68	 4/12/67 10/17/68	Excessive smoke emissions from nearby industrial sources and burning dumps interfered with aircraft operations at municipal airports causing unsafe conditions. A few of the 21 sources named in conference recommendations have not fully conformed with visible emission requirement. Special control technology problems faced by fiberglass and grain processing plants have contributed to delay of these sources in abating visible emissions to acceptable levels. Further action to obtain necessary abatement measures is being carried out in conjunction with Federal review and approval of State implementation plan compliance schedules submitted by individual sources in area.
Mt. Storm, West Virginia - Gorman, Maryland, and Luke, Md. - Keyser, W. Va.	Governors of Maryland & West Virginia	5/11/71	10/14/71	The conference concerned (1) sulfur and particulate emissions from power plant near Mr. Storm which affected growing of Christmas trees in Maryland and (2) sulfur oxide, malodorous sulfide gases, and particulate emissions from pulp mill near Luke which affected health and welfare of West Virginia residents. High efficiency electrostatic particulate collectors are being installed at both plants. Construction delays have moved completion dates to June and July 1973. Control programs for meeting respective State implementation plan sulfur oxide emission regulations have been submitted by both companies.
New Cumberland, W. Va. - Knox Township, Ohio	Local Gov't. w/concurrence of Governor W. Va.	7/8/69	8/22/69	Excessive smoke and dust emissions from poorly controlled older power plant in Ohio affected health and welfare of West Virginia residents. The company permanently removed eight low pressure boilers from service in September 1971 and installed high efficiency electrostatic particulate collectors on three remaining high pressure boilers in accordance with conference recommendations. In addition, emissions are being vented to the atmosphere through a newly constructed 650-foot stack to improve dispersion.

ABATEMENT CONFERENCES

AREA	INITIATED BY	CONFERENCE HELD	RECOMMENDATIONS ISSUED	BACKGROUND AND STATUS
New York - New Jersey Phase I Phase II	Secretary, HEW	 1/3/67 1/30/68	 3/17/67 4/9/69	Federal studies showed interstate transport of sulfur oxide, carbon monoxide, and particulate matter caused concentration harmful to health and welfare of residents of this heavily populated metropolitan area. States adopted regulations restricting sulfur in fuels and particulate emissions, which have resulted in appreciable reduction in emissions, and for sulfur oxides, an equivalent reduction in ambient levels. Major sources of particulate emissions remain and accordingly there has not been as noticeable an improvement in ambient particulate levels. State implementation plans will bring about effective control of remaining sources.
Parkersburg, W. Va. - Marietta, Ohio Session I Session II	Secretary, HEW	 3/22/67 10/30/69	 3/19/70 4/20/70	Smoke and dust emissions from large ferroalloy plant near Marietta as well as eight other industrial sources in interstate area caused particulate pollution levels harmful to health and welfare of area residents. In addition to area-wide particulate emissions limitations, requirements for restricting sulfur oxide and irritant pollutants from specific sources causing localized problems were included in the recommendations. Industrial sources named in recommendations, and in particular the ferroalloy plant, have progressed well in installing needed abatement controls and are expected to be in full conformance by mid-1973.
Selbyville, Delaware - Bishop, Maryland	Governor of Delaware	11/9/65	1/12/66	Malodors from small rendering plant in Maryland affected well-being of Delaware residents. Legal action invoked against company after failure to conform to conference and hearing recommendations eventually resulted in a Court Order, implemented in June 1970, to cease all rendering at the plant. EPA initiated judicial proceedings which resulted in the company being cited for contempt of Court in July 1971 for resuming oil processing without Court approval. Approval was given for oil processing after company installed prescribed odor emission safeguards. Constant surveillance of plant operations is necessary to assure devices are fully utilized.

AREA	INITIATED BY	CONFERENCE HELD	RECOMMENDATIONS ISSUED	BACKGROUND AND STATUS
Shoreham, Vermont - Ticonderoga, New York	Governor of Vermont	11/30/65	3/1/66	Malodorous sulfide gases from pulp mill near Ticonderoga affected health and welfare of Vermont residents. Odor conditions persisted after controls were installed at plant because of over-capacity production and suspected odorous releases from accumulated pulp mill wastes discharged in lake in past years. The old plant was shut down in April 1971 when a newly constructed, larger capacity, modern pulp mill commenced operation nearby. Best control technology incorporated into the new facility has largely abated malodorous emissions.
Washington, D. C. - Maryland - Virginia	Secretary, HEW	12/11/67	4/29/68	Federal studies showed general air pollution problem contributed by heavy population concentration, transportation requirements, and waste disposal practices in the metropolitan area. States adopted recommended control regulations which have accomplished appreciable reductions of sulfur dioxide and particulate emissions from area-wide sources. The largest single source of particulate pollution in the area, an open-burning dump, was closed in 1968. Further reductions will result from stringent regulations recently adopted as part of State implementation plans.

PESTICIDES ENFORCEMENT REVIEW

Review

The creation of EPA brought together in one Agency a variety of research, monitoring, standard-setting and enforcement activities formerly scattered through several departments and agencies. This was brought about by the Reorganization Plan No. 3 which took effect on December 2, 1970. In brief, these are the principal pesticide functions that were transferred to EPA:

(1) PESTICIDES REGISTRATION AND ENFORCEMENT PROGRAM OF THE AGRICULTURAL RESEARCH SERVICE. The Department of Agriculture was responsible for several distinct functions related to pesticides regulations. It conducted research on the efficacy of various pesticides, as related to other pest control methods, and on the effects of pesticides on non-target plants, livestock, and poultry. It registered pesticides, enforced violations of the Federal Insecticide, Fungicide, and Rodenticide Act, monitored their persistence and carried out an educational program on pesticide use through its extension service. It conducted pest control programs in which pesticides were utilized extensively.

By transferring the Department of Agriculture's pesticides registration, enforcement and monitoring function to EPA, and merging it with the pesticides program transferred from HEW and Interior, the new Agency was given a broad capability for control over the introduction of pesticides into the environment.

The Department of Agriculture continues to conduct research on the effectiveness of pesticides. It furnishes this information to EPA, which has the responsibility for actually licensing pesticides for use, after considering environmental and health effects.

(2) CERTAIN PESTICIDES RESEARCH AUTHORITY FROM THE DEPARTMENT OF THE INTERIOR. Authority for research on the effects of pesticides on fish and wildlife has been provided to EPA through transfer of the specialized research authority of the pesticides act enacted in 1958. Interior retains its responsibility to do research on all factors affecting fish and wildlife. Under this provision, only one laboratory was transferred to EPA-the Gulf Breeze Biological Laboratory of the Bureau of Commercial Fisheries. EPA works closely with the fish and wildlife laboratories remaining with the Bureau of Sport Fisheries and Wildlife.

(3) PESTICIDES RESEARCH AND STANDARD-SETTING PROGRAM OF THE FOOD AND DRUG ADMINISTRATION. FDA's pesticides program consisted of setting and enforcing standards which limit

> pesticide residues in food. EPA now has the authority to set pesticide standards and monitor compliance with them, as well as to conduct related research. However, as an integral part of its food protection activities, FDA retains its authority to remove food with excess pesticide residues from the market.

EPA, as a new Federal force in the environment, presents substantial opportunity to accomplish positive environmental improvement. It is an independent regulatory Agency reporting directly to the Office of the President. EPA's sole charge is to see that the standards it sets and enforces adequately protect the total environment.

On October 21, 1972, the President of the United States signed into law Public Law 92-516, the "Federal Environmental Pesticide Control Act of 1972". The new Act completely revises the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) which has been the basic authority for Federal pesticide regulation since 1947.

The law prior to the new legislation prohibited interstate commerce of unregistered pesticides, and permitted registration only when, if used as directed or in accordance with commonly recognized practice, the pesticide would not be injurious to man, vertebrate animals, or desirable vegetation. It did not prohibit the misuse of any registered pesticide, nor did it regulate pesticides that moved only in intrastate commerce.

The new Act regulates the use of pesticides to protect man and the environment and extends Federal pesticide regulation to all pesticides including those distributed or used within a single state.

Authorities

Federal regulation of pesticides began with the enactment of the Federal Insecticide Act of 1910, although State regulation was undertaken in some states at an even earlier date. The Federal Insecticide Act of 1910, administered by the U.S. Department of Agriculture, prevented the manufacture, sale or transportation of adulterated or misbranded insecticides and fungicides and authorized regulation of sales of insecticides and fungicides.

Until the post-World War II era, there was no apparent need for pesticide legislation other than the limited coverage of the 1910 Act. However, because of the rapid development in the field of synthetic pesticide manufacture after World War II, it became apparent that the 1910 Act was inadequate for the protection of users, consumers and the general public.

On June 25, 1947, the Insecticide Act of 1910 was repealed and replaced by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The 1947 Act required the registration of economic poisons or chemical pesticides prior to their sale or movement in interstate or foreign commerce. The Act also required prominent display of poison warnings on labels of highly toxic pesticides and the coloring or discoloring of dangerous white powdered insecticides to prevent their being mistaken for foodstuffs. Other provisions of the Act provided for the inclusion of warning statements on the label to prevent injury to people, animals and plants and the inclusion of instructions for use to provide adequate protection for the public. Pesticide manufacturers, dealers, and carriers were also required to furnish information with respect to the delivery, movement, or holding of pesticides.

In 1959, the FIFRA was amended to include new types of agricultural chemicals such as nematocides, defoliants, dessicants and plant regulators under the general regulatory provisions for economic poisons or chemical pesticides.

In 1964, further amendments were made to the Federal Insecticide, Fungicide, and Rodenticide Act which made mandatory the requirement that pesticide labels bear the registration number and expedited procedures for cancelling or suspending previously registered pesticides which were found to be unsafe.

On December 2, 1970, all the functions of regulating pesticides under FIFRA, previously granted to USDA, were transferred to the newly formed Environmental Protection Agency.

On October 21, 1972, the Federal Environmental Pesticide Control Act (Public Law 92-516) was enacted. This Act completely revised the FIFRA which had been the basic authority for Federal pesticide regulation since 1947. The new Act prohibits the use of any pesticide inconsistent with its labeling and covers all pesticides whether intrastate or interstate. For the first time, misuse of a pesticide has been made a prohibited act. The Act also provides for the classification of pesticides for general or restricted use, payment of indemnities, establishment of pesticide packaging standards and regulation of pesticide and container disposal.

The new Act strengthens enforcement by providing for the registration of all pesticide producing establishments, for increased record keeping and reporting, and for establishment inspection. In addition, the new amendments provide for increased enforcement authority. Warrants can be obtained when necessary and stop sale, use and removal orders as well as seizure orders can now be issued once a violation has been found. Fines for both civil and criminal penalties have also been increased under the new Act.

This far-reaching new Act established a series of effective dates for various provisions of the Act. The existing law will remain in effect until the new provisions become effective. However, all provisions of the new Act must be effective within four years after the enactment of the Act.

The following pages present an overview of the more significant pesticides enforcement actions the Agency has taken, and significant achievements. In addition, Chapter 8, the section entitled "Pesticides Enforcement Actions," discusses the salient facts on every pesticides enforcement action taken by the Agency.

CASE HISTORIES OF SELECTED INDIVIDUAL ACTIONS

Selected examples of pesticides enforcement actions taken under the authorities described in the preceding part are discussed in this section of the review.

Prosecutions

Section 6.c. of the FIFRA requires the Administrator, if it appears that a product is in violation of the Act, to "cause notice to be given to the person against whom criminal proceedings are contemplated." From 1960 through 1969 over 4000 notices of contemplated criminal proceedings were issued to alleged violators of the law, however, during that time not one of these cases was referred to the U.S. Attorney for prosecution. It was obvious that citations and warnings alone were not sufficient and that increased emphasis had to be placed on criminal prosecutions in order to obtain acceptable compliance levels.

On December 2, 1970, the Environmental Protection Agency assumed all the functions of regulating pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act, previously granted to USDA. Under EPA a major effort was made to enforce the Federal Insecticide, Fungicide, and Rodenticide Act and to bring violative companies to trial through criminal prosecutions. Since December 2, 1970, 155 cases have been referred to the U.S. Attorney for criminal prosecution. The following are examples of some of the completed prosecutions:

1. During 1972, Regional EPA Inspectors visited pesticides warehouses around the country and collected a number of pesticide products for investigation. Three of these products, MILLER'S CHLORDANE 10% DUST, MILLER'S GARDEN CAPTAN and MILLER'S SYSTEMIC ROSE, SHRUB AND FLOWER CARE were produced by W. R. Grace and Company, Miller Products Division, Portland, Oregon.

   EPA Regional Laboratories chemically analyzed these products and found them to be deficient in their active ingredients and were therefore illegal (misbranded). Deficiencies of this nature may be caused by poor quality control procedures on the part of the producer.

   EPA referred the evidence to the U.S. Attorney and recommended prosecution of W. R. Grace and Company. The firm pleaded guilty to four of the charges and on November 22, 1972, was fined $500 on each charge. The judge suspended $1000 of the fine and placed W. R. Grace and Company on probation for three years.

   While there is no affirmative authority in the Act requiring a producer to maintain good quality control procedures, a probation period imposed by the court goes a long way in convincing a firm to establish adequate quality control.

2. On September 5, 1972, National Chemical Laboratories of Pennsylvania, located in Philadelphia, Pennsylvania, was fined $3000, after pleading guilty to 7 counts of violating the Federal Insecticide, Fungicide, and Rodenticide Act. Judge Huyett of the U.S. District Court in Philadelphia imposed a fine of $500 each on 5 of the counts and $250 each on the other two and placed the firm on probation for a period of one year. The criminal complaint, which was filed by Assistant U.S. Attorney Victor Schwartz on behalf of EPA, charged the firm with interstate shipment of adulterated and misbranded hospital disinfectants. The adulteration charges were brought because the disinfectants were seriously deficient in active ingredients.

   The verdict in this case was critical since the products involved were hospital disinfectants. Since the company has been placed on probation, they will be under court order to maintain an adequate quality control program.

3. In 1972, EPA Regional Inspectors sampled interstate shipments of the products BEST PHOSDRIN 4 EC, BEST DIELDRIN 1.5 EC, and BEST MULTI-PURPOSE INSECT SPRAY, manufactured by Occidental Chemical Company, Lathrop, California.

   A labeling review of the products conducted by the Registration Division of EPA disclosed that the products were not registered and that a sample of BEST DIELDRIN 1.5 EC also bore a label without adequate directions for use. A suit against Occidental Chemical Company, a subsidiary of Occidental Petroleum Corporation of Los Angeles was brought by the U.S. Attorney's office in Sacramento at the request of EPA.

   On October 12, 1972, Occidental pleaded no contest to all four counts of violating the Federal Insecticide, Fungicide, and Rodenticide Act and U.S. District Judge Philip C. Wilkins fined the company $2200. In assessing the fine, Judge Wilkins said, "Companies in the position of Occidental Petroleum Corporation cannot treat matters such as this in a cavalier fashion. Corporate leaders in the position of Occidental Petroleum should set an example for the rest of the industry to follow." This was the first fine levied in California in EPA's drive to enforce the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act.

4. On May 26, 1972, a judgment was filed against the Green Light Company, San Antonio, Texas, for violations of the Federal Insecticide, Fungicide, and Rodenticide Act. The criminal complaint filed January 20, 1972, charged the company with

shipping ten "misbranded" and "adulterated" insecticides and other garden products from its San Antonio plants to points in Tennessee, Louisiana, and Colorado resulting in a total of twenty violations of the Federal law. U.S. District Judge Adrian A. Spears, Western District of Texas, found the firm guilty on three counts. The remaining counts were dismissed upon motion of the United States Attorney.

The convictions were based upon the unlawful interstate shipments of two products which were economic poisons under the Act. Both products were adulterated with an undeclared pesticide, namely, technical chlordane. One of the products was also deficient in one of the declared active ingredients.

Judge Spears fined the firm $500 on each of the three counts. The total fine of $1500 was suspended for up to six months to enable the company to formulate a Quality Control Program acceptable to EPA. If an acceptable program is developed within the allotted time period, the total fine will be remitted.

Recent visits by personnel from EPA Headquarters to the Green Light Company indicated that the firm is actively engaged in developing and implementing a Quality Control Program and was on its way to meeting the court decree. The firm has spent in the neighborhood of $85,000 to $100,000 to implement this program.

Recalls

The recall of a defective product by the manufacturer or shipper is the most effective and efficient means of removing such product from the market.

The Act contains no authority for the recall of products. The effective recall of a product depends upon the cooperation of the company to which the recall request is made. A recall action is viewed as a serious and extraordinary matter, and a request for the recall of a product cannot be arbitrarily or capriciously made. The effectiveness of a recall program depends upon (a) knowledge on the part of industry that a recall request will be made by Pesticides Enforcement Division only in those cases where there is a likelihood of injury--physical or economic--from the use of the product as directed,(b) knowledge on the part of industry that Pesticides Enforcement Division will use all legal means available to it under the statute to support any recall request,and (c) knowledge on the part of industry that State officials are cooperating with Pesticides Enforcement Division in the removal of such products. The following are some recall cases completed by the Pesticides Enforcement Division:

1. An EPA Regional Pesticide Inspector collected a sample of MASTER BRAND 5% MALATHION DUST during a surveillance visit to a distributor of agricultural pesticides. Laboratory test of this product showed it to be contaminated with dieldrin, lindane, and technical chlordane. If this product were used on poultry and vegetable crops, as shown on the container's label, illegal residues of dieldrin, lindane or chlordane would be likely to show up. As a result of this contamination, the Pesticides Enforcement Division requested Stevens Industries, Incorporated, Dawson, Georgia, to recall all remaining stock of the product in channels of trade. The firm's records showed that only 1500 lbs. of the material had been distributed to 31 consignees. The firm notified all 31 consignees of the defective product and requested that they immediately remove it from sale and return it to the company. Stevens Industries, Inc. was able to recover 976 lbs. of the contaminated and potentially hazardous material from the public market.

2. Samples of SECURITY 25% MALATHION WETTABLE were collected by a Regional Pesticide Inspector. Chemical analysis of these samples revealed that this product was contaminated with 0.25% chlordane. Repeated use of this product as recommended on the products label would likely result in illegal residues of chlordane in fruits, vegetables, and in the meat of animals and poultry. On August 29, 1972, Pesticides Enforcement Division requested the Woolfolk Chemical Works, Ltd, Fort Valley, Georgia, to recall all of the contaminated material that remained in the channels of trade. The firm's records showed that 2000 lbs. of this contaminated material had been distributed to twelve customers. The firm sent each of these customers a letter requesting them to immediately remove the affected material from sale and to return it to the company. One hundred four 4-lb. bags of the contaminated SECURITY 25% MALATHION WETTABLE were returned to the company for disposal in a sanitary landfill.

3. On February 15, 1972, the Pesticides Enforcement Division requested that the Vita Plus Corporation of Madison, Wisconsin, recall all outstanding stock of the insecticide product, VITA PLUS FLY DI DRY BAIT GRANULES, because EPA regional laboratory tests of the uncoded sample showed the product to be seriously deficient in the active ingredient DDVP. The product with this deficiency, when used as directed, would be ineffective for the purpose of fly control as set forth on the label.

   On February 22, 1972, visiting EPA and State officials confirmed that the firm was recalling the product as requested. The total amount recalled from six consignees was 58 one-pound containers of the material.

4. On March 1, 1972, the Pesticides Enforcement Division requested the firm of Huntington Laboratories of Huntington, Indiana, to recall all stock in channels of trade of the product HUNTINGTON GERMICIDE AND DEODORANT COMPASS because of ineffectiveness as a disinfectant.

   The firm cooperated with EPA by identifying the locations of all consignees. In addition, the firm sent a "stop sale" letter to the consignees. The result of the recall was that 567 fourteen-ounce cans of the material were returned to the company for destruction.

5. The Hyde Oil Company was requested to recall all stock in channels of trade of the insecticide product HYDE BACK RUBBER OIL CONCENTRATE (KORLAN) on March 24, 1972. Chemical analysis of the product showed the product to be seriously deficient in its active ingredient and when used as directed, would not act as an insecticide as specified on the labeling. The company issued a "stop sale" notice to the consignees and had the consignees return the stock to the firm. The result of the recall was that 53 fifteen-gallon containers of the material were returned to the company for reformulation.

6. The Industrial Chemical Laboratories, Inc. of Omaha, Nebraska, was requested to recall all stock in channels of trade of a product called INDUSTRIAL INDO-SOL SUPER ACTIVE DISINFECTANT TOILET BOWL AND URINAL CLEANER on May 24, 1972. A review of samples of the product label showed it lacked the required warning statements on the labels and could be hazardous to the public. The company sent "stop-sale" letters to all of the company's warehouses resulting in the return of 108 one-gallon jugs and 1,741 one-quart bottles to the company. The returned material was repackaged into new containers bearing labels with the required precautionary statements.

7. The PBI-Gordon Corporation of Kansas City, Missouri, was requested to recall all stock in channels of trade of a herbicide product called GORDON'S BRUSH KILLER on June 26, 1972. The label for the product bore a cancelled use for 2,4,5-T.

   The Company contacted 36 consignees of the product and had 89 one-quart bottles of the product returned to the company. The material was repacked into new containers with labels showing adequate directions for use.

This table shows key facts about each pesticides enforcement case referred for legal action since the establishment of EPA.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Aquaness Chemical Co. Houston, TX	Marketing Misbranded Pesticide	8/10/72	Seizure 7 U.S.C. 135a(a)(5) 135g	Complaint In Rem filed 8/29/72. Seized 9/5/72 sixteen 540# units.
Aquatrol, Inc. Anaheim, CA	Marketing Nonregistered and Misbranded Pesticides	8/11/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Grand Jury Indictment 1/3/73.
ArChem Corporation Portsmouth, OH	Marketing Nonregistered Misbranded and Adulterated Pesticides	1/25/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $1,500 on 2 counts - placed on 3 years probation 7/24/72.
Atlas Agricultural Chemicals Inc. Waynesboro, GA	Marketing Nonregistered and Misbranded Pesticide	6/1/71	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney declined to prosecute 9/20/71.
Baird and McGuire, Inc. Holbrook, MA	Marketing Nonregistered and Misbranded Pesticide	11/2/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Baroid Div. N.L. Industries Houston, TX	Marketing Nonregistered and Misbranded Pesticide	11/2/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Beaver Chemical Co. Idaho Falls, ID	Marketing Nonregistered and Misbranded Pesticide	3/28/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	Seized seventy-eight 1-gallon units 4/4/72. Default Decree 5/8/72
Beaver Chemical Co. Stockton, CA	Marketing Nonregistered and Misbranded Pesticides	8/9/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $100 on 2 counts 1/3/73.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Bicknell, Inc. Framingham, MA	Marketing Nonregistered Pesticide	3/27/72	Criminal 7 U.S.C. 135a(a)(1)	1/27/72 Citation Issued 2/1/72 Citation Answered 2/23/72 - Conference held 5/9/72 Information filed 6/2/72 Pleaded nolo contendere; fined $100
Biolab Corporation Norborne, MO	Marketing Nonregistered and Misbranded Pesticide	10/16/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Information filed 10/27/72 Guilty plea to 3 counts. Total fine $400 11/14/72.
Birko Chemical Corp. Denver, CO	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under joint U.S. Attorney - EPA review of legal issues.
Black Leaf Products Co. Chicago, Illinois	Marketing Misbranded and Adulterated Pesticide	7/16/70	Criminal 7 U.S.C. 135a(a)(5)	Fined $2850 on 15 counts 10/4/71.
Blue Chemical Co., Inc. Garner, NC	Marketing Nonregistered and Misbranded Pesticides	2/24/71	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney declined to prosecute 12/16/71.
Blue Spruce Company Basking Ridge, NJ	Marketing Nonregistered Pesticide	9/1/72	Seizure 7 U.S.C. 135a(a)(1) 135g	9/12/72 Complaint filed by U.S. Attorney 9/13/72 Seized fourteen 5-gallon units. 12/4/72 Decree of forfeiture entered.
Burroughs-Wellcome & Co. Greenville, NC	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Case withdrawn - product not subject to FIFRA.
Butcher Polish Co. Malden, MA	Marketing Nonregistered and Misbranded Pesticide	12/29/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by Office of the General Counsel.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Camel Mfg. Co. Knoxville, TN	Marketing Nonregistered and Misbranded Pesticide	6/29/72	Criminal U.S.C. 135a(a)(1) 135a(a)5)	Under review by U.S. Attorney.
Cannon Mfg. Co. Springfield, MA	Marketing Nonregistered Pesticide		Criminal U.S.C. 135a(a)(1)	11/21/72 Citation Issued Citation answered. Conference held for information gathering.
Carolina Chemicals, Inc. West Columbia, SC	Marketing Nonregistered and Misbranded Pesticides	10/17/72	Criminal U.S.C. 135a(a)(1) 135a(a)(5)	Under review by Office of the General Counsel 12/1/72.
Carpenter Morton Co. Everett, MA	Marketing Nonregistered and Misbranded Pesticide	3/11/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	3/28/72 Complaint in rem filed. 3/28/72 Seized by U.S. Marshal 8/14/72 Decree entered for forfeiture.
Carpenter Morton Everett, MA	Marketing Nonregistered and Misbranded Pesticides	10/11/72	Criminal U.S.C. 135a(a)(1) 135a(a)(5)	Information filed in U.S. District Court.
Central Chemical Corp. Hagerstown, MD	Marketing Misbranded Pesticides		Criminal U.S.C. 135a(a)(5)	Citation issued 12/19/72.
Central Chemical Corp. Hagerstown, MD	Marketing Misbranded Pesticides		Criminal U.S.C. 135a(a)(5)	Citation Issued 12/19/72
Central Chemical Corp. Hagerstown, MD	Marketing Misbranded Pesticides		Criminal U.S.C. 135a(a)(5)	Citation Issued 12/19/72

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Century Labs, Inc. Kansas City, KC	Marketing Misbranded Pesticide	7/12/72	Seizure 7 U.S.C. 135a(a)(2) 135a(a)(5) 135g	Complaint in Rem filed 7/17/72. Defendant labeled product with accepted label. Released 8/16/72.
Champion Chemicals Odessa, TX	Marketing Nonregistered and Misbranded Pesticides	8/15/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	Filed 8/29/72 Seized 9/5/72 nineteen 5-gallon units. Decree 11/20/72.
Champion Chemicals Odessa, TX	Marketing Nonregistered and Misbranded Pesticides	8/15/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	Filed 8/29/72 Seized 9/5/72 four 55-gallon units. Decree 11/20/72.
Champion Industries, Inc. Phila. PA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Citation Issued 12/19/72.
Chase Products Co. Broadview, IL	Marketing Misbranded and Adulterated Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Fined $2250 on 13 counts. $1200 suspended. Placed on 18 months probation 1/9/73.
Chemical Associates, Inc. Houston, TX	Marketing Nonregistered and Misbranded Pesticide	7/10/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Chemical Formulators, Inc. Nitro, WV	Marketing Misbranded and Adulterated Pesticides	2/22/72	Criminal 7 U.S.C. 135a(a)(5)	Sent to U.S. Attorney 2/22/72. Trial scheduled for 2/1/73.
Chevron Chemical Co. Richmond, CA	Marketing of Nonregistered Adulterated and Misbranded Pesticides	5/22/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Clarence Boord & Sons, Inc. Leon, IA	Marketing Nonregistered and Misbranded Pesticides	7/18/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Indicted 8/4/72. Guilty plea to 8 counts 9/11/72. Sentencing postponed.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Cypress Supply Company Kansas City, MO	Marketing Nonregistered and Misbranded Pesticide	9/21/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	Complaint In Rem filed 10/31/72. Seized 980 five-lb. units. Labeling corrected. Product returned to claimant.
Dairy Association, Inc. Lyndonville, VT	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	11/10/72 Citation Issued. 11/14/72 Citation Answered.
David H. Laub Co. Allentown, PA	Marketing Misbranded Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(5)	Under review by U.S. Attorney.
Dexol Industries, Inc. Torrance, CA	Marketing Misbranded and Adulterated Pesticides and Claims Differ	6/15/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Docktor's Pet Centers, Inc. Cornwells Heights, PA	Marketing Misbranded Pesticides	12/29/72	Criminal 7 U.S.C. 135a(a)(5)	Under review by U.S. Attorney.
Double M & J, Inc. Wichita, KS	Marketing Nonregistered and Misbranded Pesticide	10/30/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Douglas Chemical Co. Liberty, MO	Marketing Misbranded Pesticide	9/22/72	Criminal 7 U.S.C. 135a(a)(5)	U.S. Attorney declined to prosecute 9/28/72.
Douglas Chemical Co. Liberty, MO	Marketing Nonregistered and Misbranded Pesticide	9/29/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney declined to prosecute 10/3/72.
Dragon Chemical Corp. Roanoke, VA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Citation Issued 6/28/72 Case to be returned to D.C.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Dyna-Mist Chemical Co., Inc. Coatesville, PA	Marketing Misbranded Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(5)	Under review by U.S. Attorney.
Dysart Chemical Corp. Canal-Winchester, OH	Marketing Nonregistered Pesticide	5/31/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint in Rem filed 6/2/72 Product reformulated, released to consignee 11/16/72.
Earl May Seed & Nursery Co. Shenandoah, IA	Marketing Nonregistered and Misbranded Pesticide	6/2/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Indictment 8/4/72. Guilty plea to all counts. 9/21/72 Sentencing postponed.
Economy Products Co., Inc. Shenandoah, IA	Marketing Nonregistered and Misbranded Pesticide	11/24/71	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Guilty plea to all counts. Entered 9/21/72. Sentencing postponed.
Encap Products Co. Mount Prospect, IL	Marketing Nonregistered and Misbranded Pesticides	6/6/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
FMC Corporation Greenville, MS	Marketing Nonregistered and Misbranded Pesticides	8/28/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Found guilty on 2 counts, fined $750 11/30/72.
Fleming & Co., Inc. St. Louis, MO	Marketing Nonregistered Pesticides	5/24/72	Criminal 7 U.S.C. 135a(a)(1)	U.S. Attorney declined to prosecute 1/18/73 Chicago, Illinois.
Flo-Kem Products, Inc. Compton, CA	Marketing Nonregistered and Misbranded Pesticides	6/16/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Grand Jury Indictment 1/3/73.
Floyd Pine Products Co. Andalusia, AL	Marketing Nonregistered and Misbranded Pesticides	6/18/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Information filed in U.S. District Court 9/6/72.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Fox Pool Corporation York, PA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Citation Issued 11/27/72.
G. S. Robbins & Company St. Louis, MO	Marketing Nonregistered and Misbranded Pesticide	12/6/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	12/14/72 Complaint in Rem filed by U.S. Attorney. Seized fourteen 125# units 12/27/72.
G. W. Park Seed Co. Greenwood, SC	Marketing Nonregistered and Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Warning letter 8/18/72.
George B. Robbins Co., Inc. Medford, MA	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Citation Issued 12/8/72.
Gift Sales Company Wichita, KS	Marketing Nonregistered and Misbranded Pesticide	4/11/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Indictment 5/24/72. Guilty plea to one count 7/10/72. Total fine $50.
Global Associates	Marketing Nonregistered and Misbranded Pesticides	12/12/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney filed complaint on 12/12/72.
Green Light Co. San Antonio, TX	Marketing Nonregistered and Misbranded Pesticide	10/6/71	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	$1500 fine - suspended pending Co. improvement program 5/26/72.
Griffin Brothers, Inc. Portland, OR	Marketing Nonregistered and Misbranded Pesticide	11/10/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Hydraprise Corp. San Diego, CA	Marketing Nonregistered and Misbranded Pesticides	10/31/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney declined to prosecute 11/9/72.
Hysan Products Co. Chicago, IL	Marketing Misbranded Pesticides	10/25/68	Criminal 7 U.S.C. 135a(a)(5) 135a(a)(1) 135a(a)(2)(d) 135(z)(2)(d)	Grand Jury Indictment 3/27/69 arraignment 4/2/69; fined $10,500 on 14 counts; officers fined $1600 2/27/70 (first time officers have been prosecuted along with company).
I. Schneid, Inc. Atlanta, GA	Marketing Nonregistered and Misbranded Pesticides	11/9/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
IAP Medical Gas & Equipment Co., Div. of Industrial Air Products. Portland, OR	Marketing Nonregistered Pesticides	9/29/72	Criminal 7 U.S.C. 135a(a)(1)	Region X investigation
Hilex Div. Hunt Chems. St. Paul, MN	Marketing Nonregistered Pesticides	8/18/72	Criminal 7 U.S.C. 135a(a)(1)	Declined for prosecution 9/1/72 - being asked to reconsider.
Hogan-Hayes Finance Co. Ypsilanti, MI	Marketing Nonregistered Pesticide	1/21/70	Criminal 7 U.S.C. 135a(a)(1)	Justice declined prosecution 3/19/70
Hooker Glass & Paint Mfg. Co. Chicago, IL	Marketing Nonregistered and Misbranded Pesticide	10/25/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $3000 - $2500 suspended 3 years on probation 12/14/72

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Gro Chemical Co. Miami, FL	Marketing Nonregistered and Misbranded Pesticides	11/18/71	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Harleco Phila., PA	Marketing Misbranded Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(5)	Under review by U.S. Attorney.
Harper Brush Works Fairfield, IA	Marketing Nonregistered and Misbranded Pesticides	5/24/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Indictment 8/4/72. Pled guilty, sentencing postponed 9/11/72.
Harris Products Co., Inc. Miami, FL	Marketing Nonregistered and Misbranded Pesticides	7/11/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Helena Chemical Co. Dexter, NM	Marketing Nonregistered Pesticide	9/19/72	Criminal 7 U.S.C. 135a(a)(1)	Filed 10/18/72; judgment 11/29/72
Helena Chemical Lubbock, TX	Marketing Nonregistered Pesticide	11/21/72	Criminal 7 U.S.C. 135a(a)(1)	Under review by U.S. Attorney.
Helena Chemical West Helena, AR	Marketing Nonregistered and Misbranded Pesticide	4/18/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	Decree of condemnation 3/27/72
Humane Coyote Getter, Inc. Pueblo, CO	Marketing Nonregistered Pesticide	4/18/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Filed 5/18/72; Seized 48 units 6/3/72. Decree 6/23/72. Units in possession of U.S. Marshal.
Humane Coyote Getter, Inc. Pueblo, CO	Marketing Nonregistered Pesticide	4/18/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Filed 5/19/72. Seized 31 units 5/25/72. Seized units in possession of U.S. Marshal 1/15/73.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Humane Coyote Getter, Inc. Pueblo, CO	Marketing Nonregistered Pesticide	3/29/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint filed 4/6/72. Decree of Condemnation filed 6/7/72. Destroyed 155 units 6/7/72.
Humane Coyote Getter, Inc. Pueblo, CO	Marketing Nonregistered Pesticide	3/29/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint filed 4/6/72. Decree of Condemnation filed 6/7/72. Destroyed 92 units 6/7/72.
Humane Coyote Getter, Inc. Pueblo, CO	Marketing Nonregistered Pesticide	3/29/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint filed 4/6/72. Consent Decree of Condemnation filed 6/23/72. Destroyed 193 units 6/29/72.
Humane Coyote Getter, Inc. Pueblo, CO	Marketing Nonregistered Pesticide	3/29/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint filed 4/6/72. Complaint dismissed 6/6/72.
Imoco-Gateway Corporation Baltimore, MD	Marketing Misbranded Pesticides	10/17/72	Criminal 7 U.S.C. 135a(a)(5)	Fined $1500 on 3 counts 1/10/73.
Imperial Deodorizing & Manufacturing Co. El Centro, CA	Marketing Nonregistered and Misbranded Pesticide	8/9/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
J. Hubbard Co., INC. Nashua, NH	Marketing Nonregistered and Misbranded Pesticide	11/17/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	7/11/72 Citation Issued 7/28/72 Citation Answered 8/25/72 Conference held 11/28/72 19-count information filed. 12/21/72 fined $8000 on 19 counts $7500 suspended.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Johnson Chemical Ind., Inc. Baltimore, MD	Marketing Misbranded Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(5)	Information filed 1/10/73.
Johnson Chemical Ind., Inc. Baltimore, MD	Marketing Misbranded Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(5)	Information filed 1/10/73.
Jungle Labs., Inc. Sanford, FL	Marketing Nonregistered and Misbranded Pesticides	8/4/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $2000 on 3 counts $1000 suspended. Placed on 1 year probation 10/26/72. Warning letter 8/18/72.
Kem Manufacturing Corp. Tucker, GA	Marketing Nonregistered and Misbranded Pesticides	5/19/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Nolo contendere plea under consideration by Judge 8/30/72
Kenco Chem. & Mfg. Co., Inc. Jacksonville, FL	Marketing Nonregistered and Misbranded Pesticides	11/30/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
King-Kratz Corp. St. Louis, MO	Marketing Nonregistered and Misbranded Pesticide	11/15/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Lebanon Chemical Corp. Lebanon, PA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Citation Issued 6/15/72.
Lebanon Chemical Corp. Lebanon, PA.	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Case to be reviewed with PED, Wash., D.C. to coordinate action.
Lincoln Supply Co., Inc. Burbank, CA	Marketing Nonregistered and Misbranded Pesticides	10/17/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Lorenz Chemical Company Omaha, NB	Marketing Nonregistered and Misbranded Pesticide	9/20/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Found guilty on 1 count. Ordered to pay court costs 11/11/72
Los Angeles Chemical Co. South Gate, CA	Marketing Nonregistered Pesticides	8/9/72	Criminal 7 U.S.C. 135a(a)(1)	Under review by U.S. Attorney.
Mallinckrodt Chemical Works St. Louis, MO	Marketing Nonregistered and Misbranded Pesticide	11/10/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Mark Chemical Co. Inc. Orange, CA	Marketing Nonregistered and Misbranded Pesticides	8/30/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Grand Jury Indictment 1/3/73.
Marsh Wholesale Food Co. Sturgis, SD	Marketing Nonregistered Pesticides	10/11/72	Criminal 7 U.S.C. 135a(a)(1)	Proposed prosecution forwarded to OGC for comment and coordination.
Maryland Plastics, Inc. Federalsburg, MD.	Marketing Misbranded Pesticides	12/29/72	Criminal 7 U.S.C. 135a(a)(5)	Under review by U.S. Attorney.
McKesson Chemical Co. Wichita, KS	Marketing Nonregistered and Misbranded Pesticides	9/22/72	Seizure 7 U.S.C. 135a(a)(1) 135a(a)(5) 135g	Complaint in Rem filed 9/27/72. Seized seventy-nine 5-gallon units 10/12/72. Default Decree 11/21/72. Destroyed 11/27/72
Miller Chemical & Fertilizer Co. Hanover, PA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Citation Issued 11/27/72
Mission Kleensweep Products Inc. Los Angeles, CA	Marketing Nonregistered and Misbranded Pesticides	10/31/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Grand Jury Indictment 1/3/73.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Section of Applicable Law)	Result or Status
Mobile Oil Corp. Mt. Pleasant, TN	Marketing Misbranded Pesticides	10/25/72	Criminal 7 U.S.C. 135a(a)(5)	Fined $250 on 1 count 1/5/73.
Murphy Furn. Mfg. Co. Jasper, AL	Marketing Nonregistered and Misbranded Pesticides	6/9/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney declined to prosecute 11/22/72.
N. Jonas & Co., Inc. Phila.,PA	Marketing Misbranded Pesticides	10/10/72	Criminal 7 U.S.C. 135a(a)(5)	Case forwarded to OGC 12/29/72 for review.
National Chelating Corp. West Covina, CA	Marketing Nonregistered and Misbranded Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney 12/18/72.
National Chemical Laboratories of Pa. Phila., PA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Recommend closing of case.
New Holland Supply Co., Inc. New Holland, PA	Marketing Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(5)	Warning letter sent 12/72.
Occidental Petroleum Corp. Lathrop, CA	Marketing Nonregistered and Misbranded Pesticides	8/11/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Filed 8/25/72. Plea of nolo contendere 10/12/72. Fined $2200 on 4 counts 12/5/72.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Poolmaster, Inc. San Carlos, CA	Marketing Nonregistered and Misbranded Pesticides	12/7/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by Office of the General Counsel. 12/15/72
Porter-Walton Co. Salt Lake City, UT	Marketing Nonregistered Pesticide	8/18/72	Criminal 7 U.S.C. 135a(a)(1)	Under review by U.S. Attorney
Promotion Service Co., Inc. Madison, TN	Marketing Nonregistered and Misbranded Pesticides	7/25/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Attorney declined to prosecute 9/7/72.
Purex Corp., Ltd. Wilmington, CA	Marketing Nonregistered and Misbranded Pesticides	8/14/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Grand Jury Indictment 1/3/73.
Quality Plus Products Co., Inc. Fort Dodge, IA	Marketing Nonregistered Pesticide	5/19/72	Criminal 7 U.S.C. 135a(a)(1)	Fined $25 on 1 count 6/14/72.
Quinn Drug & Chemical Co. Greenwood, MS	Marketing Nonregistered and Misbranded Pesticides	8/18/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Information filed in U.S. District Court 10/2/72.
Red Cap Industries, Inc. Dedham, MA	Marketing Nonregistered Pesticide	6/2/72	Criminal 7 U.S.C. 135a(a)(1)	3/28/72 Citation 8/28/72 Commitment letter obtained.
Reese Chemical Co. Cleveland, OH	Marketing Nonregistered Pesticide	9/25/72 12/12/72	Criminal 7 U.S.C. 135a(a)(1)	Citation Issued

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Rhodes Chemical Co. Kansas City, KS	Marketing Nonregistered Pesticide		Seizure 7 U.S.C. 135a(a)(1) 135g	Seized one 16-1/2# unit 11/30/72.
Safeway Farm Products Austin, TX	Marketing Nonregistered Pesticide	12/11/72	Criminal 7 U.S.C. 135a(a)(1)	Information filed in U.S. District Court 12/22/72.
Sampson Paint Mfg. Co., Inc. Richmond, VA	Marketing Nonregistered and Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Citation Issued 12/1/72
So. Agric. Chem. Corp. Kingstree & Campobello, SC	Marketing Nonregistered and Misbranded Pesticides	6/28/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney
So. Agricultural Insecticides, Inc. Hendersonville, NC	Marketing Nonregistered and Misbranded Pesticides	8/18/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $1000 on 3 counts. $500 suspended. Placed on 1 year probation 10/25/72.
Southern Mill Creek Products Co., Inc. Tampa, FL	Marketing Nonregistered and Misbranded Pesticides	10/19/71	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $1200 on 3 counts. 11/1/72
Southern Products Co., Inc. Chattanooga, TN	Marketing Nonregistered and Misbranded Pesticides	8/18/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $500 on 8 counts. 9/5/72
Stalfort Chemical Specialities Co. Baltimore, MD	Marketing Nonregistered and Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Citation Issued 11/27/72

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Aceto Chemical Co. Flushing, NY	Marketing Nonregistered Pesticide	12/1/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Filed 12/1/72 Seized 12/8/72 four 60 kilogram units
Samuel Cabot, Inc. Boston, MA	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	12/8/72 Citation Issued 12/12/72 Citation Answered 12/15/72 Conference held for information gathering
Schall Chemical, Inc. Monte Vista, CO	Marketing Nonregistered Pesticide	12/5/72	Criminal 7 U.S.C. 135a(a)(1)	Under review by U.S. Attorney.
Seaworthy Marine Products Div. of Eastern Products, Inc. Meriden, CT	Marketing Nonregistered Pesticide		Criminal 7 U.S.C. 135a(a)(1)	12/8/72 Citation Issued
Sherwin-Williams Indianapolis, IN	Marketing Nonregistered Pesticide	3/21/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint in rem filed but dismissed. Product-shipped back to shipper before seizure.
Shur-A Chemical Manufacturing Co. Pawtucket, R.I.	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	8/31/72 Citation Issued 9/12/72 Answered by firm.
Star Dental Mfg. Co. Inc. West Conshohocken, PA	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Citation Issued 11/27/72.
Stauffer Chemical Co. Portland, OR	Marketing Misbranded Pesticide	11/2/72	Criminal 7 U.S.C. 135a(a)(5)	Under review by U.S. Attorney.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Stern Chemical Corp. Monroe, LA	Marketing Nonregistered Pesticide	12/29/72	Criminal 7 U.S.C. 135a(a)(1)	Under review by U.S. Attorney
Sudbury Laboratory, Inc. Sudbury, MA	Marketing Nonregistered Pesticide	11/2/72	Criminal 7 U.S.C. 135a(a)(1)	Information filed in U.S. District Court 12/5/72
Swift Agric. Chem. Corp. East St. Louis, IL	Marketing Misbranded Pesticide	5/22/72	Criminal 7 U.S.C. 135a(a)(5)	Fined $1000 on 2 counts 9/26/72.
Swift Agricultural Chemicals Corp. Los Angeles, CA	Marketing Nonregistered and Misbranded Pesticides	5/22/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	U.S. Dept. of Justice declined to prosecute, 5/30/72.
Tesco Chemicals Atlanta, GA	Marketing Nonregistered Pesticide	7/26/72	Criminal 7 U.S.C. 135a(a)(1)	Prosecution recommended. Product unavailable for seizure as it had been returned to Atlanta.
Tesco Chemicals Atlanta, GA	Marketing Nonregistered Pesticide	7/26/72	Criminal 7 U.S.C. 135a(a)(1)	Same as above.
Tesco Chemicals Atlanta, GA	Marketing Nonregistered Pesticide	7/26/72	Criminal 7 U.S.C. 135a(a)(1)	Same as above.
The Carroll Chemical Co. Baltimore, MD	Marketing Nonregistered and Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Citation Issued 12/1/72.
The Jade Company Indio, CA	Marketing Nonregistered and Misbranded Pesticides	10/31/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Tom's Sanitary Supply Scottsbluff, NB	Marketing Nonregistered and Misbranded Pesticide	10/20/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney
A. H. Hoffman, Inc. Landisville, PA.	Marketing Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(5)	File Administratively Closed 12/7/72.
ABC Compounding Co., Inc. Atlanta GA	Marketing Misbranded Pesticide	3/6/72	Criminal 7 U.S.C. 135a(a)(5)	Fined $1700 on 8 counts 10/20/72.
Aeroseal Corporation Newberrytown, PA	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Holding pending receipt of supplemental case 12/29/72.
Aidex Corporation Omaha, Nebraska	Marketing Nonregistered and Misbranded Pesticide	5/30/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Nolo contendere accepted. Sentence suspended 9/13/72.
Amerace-Esna Corp. (Chem. Specialties Div.) Los Angeles, CA	Marketing Nonregistered and Misbranded Pesticides	10/31/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney
Anderson-Stolz Corp. Kansas City, MO	Marketing Nonregistered and Misbranded Pesticide	10/19/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Information filed 11/29/72. Guilty plea to two counts. Total fine $400.
Ansul Company Marinette, WI	Marketing Misbranded Pesticide	10/10/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint In Rem filed 11/1/72. Seized 276 units 11/7/72.
Aquaness Chemical Co. Houston, TX	Marketing Nonregistered Pesticide with no Ingredient Statement	7/6/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(2)	Under review by U.S. Attorney
Aquaness Chemical Co. Houston, TX	Marketing Nonregistered Pesticide	8/10/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Complaint In Rem filed 8/29/72. Seized 9/5/72 two 435# units. Decree 11/20/72.

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Triple "F" Feeds Des Moines, IA	Marketing Nonregistered Pesticide	7/31/72	Criminal 7 U.S.C. 135a(a)(1)	Indicted 8/4/72 Jury Trial - Guilty to all 3 counts. Fined $500 10/6/72
Triple-X Chem. Lab. Inc. Mundelein, IL	Marketing Nonregistered, Misbranded and Adulterated Pesticides	6/7/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $7,000 on 9 counts - suspended $6500. Placed on 3 years probation 10/11/72
U.S. Continental Labs. Houston, TX	Marketing Nonregistered and Misbranded Pesticide	11/1/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Uddo Company New Orleans, LA	Marketing Nonregistered and Misbranded Pesticide	6/29/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Unichem, Inc. Greenville, NC	Marketing Nonregistered and Misbranded Pesticides		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Citation issued 5/17/72
Universal Chemicals Corp. Ft. Lauderdale, FL	Marketing Nonregistered and Misbranded Pesticides	6/7/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Guilty on 1 count. Placed on 1 year probation 10/24/72
Universal Oil Products Co., Inc. (Water Services Div.) Burbank, CA	Marketing Nonregistered and Misbranded Pesticides	10/31/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Grand jury indictment 1/3/73

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
Utility Chemical Co. Paterson, NJ	Marketing Nonregistered and Misbranded Pesticides	11/2/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Virginia Chemicals Houston, TX	Marketing Nonregistered and Misbranded Pesticides	7/7/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney
W. R. Grace Co. Miller Products Portland, OR	Marketing Misbranded Pesticides	4/4/72	Criminal 7 U.S.C. 135a(a)(5)	Fined $2000 on 4 counts. Placed on 3 years probation 11/22/72
Walters Chemical Co. Stockton, CA	Marketing Nonregistered Pesticide	11/6/72	Seizure 7 U.S.C. 135a(a)(1) 135g	Seized thirteen 300# units, sixty-three 25# units and thirteen 25# cases 11/10/72
Weaver's Rodent Control Lewiston, UT	Marketing Nonregistered Pesticide	11/15/72	Criminal 7 U.S.C. 135a(a)(1)	Under review by U.S. Attorney.
Weco Products, Inc. Long Beach, CA	Marketing Nonregistered and Misbranded Pesticides	10/17/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
White Laboratories Orlando, FL	Marketing Nonregistered Pesticide	7/10/72	Criminal 7 U.S.C. 135a(a)(1)	U.S. Attorney declined to prosecute, 10/4/72.
World Garden Products Division of World Art Group Norwalk, CT	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	11/21/72 Citation Issued 12/13/72 Citation Answered

PESTICIDES ENFORCEMENT CASES REFERRED

Name and Location of Company	Violation	Date Referred	Type of Action Recommended (Identify Action of Applicable Law)	Result or Status
World Garden Products Division of World Art Group Norwalk, CT	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	8/16/72 Citation Issued 9/12/72 Citation Answered
Parramore & Griffin, Inc. Valdosta, GA	Marketing Nonregistered and Misbranded Pesticides	7/7/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Fined $200 on 7 counts. 9/28/72
PBI-Gordon Corp. Kansas City, Kansas	Marketing Adulterated and Misbranded Pesticides	4/17/72	Criminal 7 U.S.C. 135a(a)(5)	Indictment 5/22/72. Fined $300 on 3 counts 6/22/72
Pennex Products Inc. Verona, PA	Marketing Nonregistered Pesticides	12/4/72	Criminal 7 U.S.C. 135a(a)(1)	U.S. Attorney declined to prosecute. 12/20/72
Pettit Paint Co., Inc. San Leandro, CA	Marketing Nonregistered and Misbranded Pesticides	5/25/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Under review by U.S. Attorney.
Pharmacal Research Labs. Greenwich, CT	Marketing Nonregistered and Misbranded Pesticide		Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	8/2/72 Citation Issued. 9/18/72 Letter confirming product not in violation of FIFRA after review by Pesticides Regulation Division.
Polychem Corp. New Haven, CT	Marketing Nonregistered and Misbranded Pesticide	10/5/72	Criminal 7 U.S.C. 135a(a)(1) 135a(a)(5)	Pleaded nolo contendere on 3 counts. Fined $175.